



**IN THE COURT OF SH. GURNAM SINGH-II
ADDITIONAL SESSIONS JUDGE
FEROZEPUR.**

Bail application No. 59 of 2020
Date of Institution: 15.02.2020
CIS No. BA/294/2020
PBFZ0100008522020
Date of Order: 05.03.2020

1. Gajjan Singh son of Jora Singh, aged 47 years,
2. Gurjeet Singh alias Geeta son of Gajjan Singh, aged 30 years, both residents of village Hardasa, Tehsil Zira, District Ferozepur.

.....Accused/applicants.

Versus

State of Punjab.

.....Respondent.

Bail application under section 438 (i) Cr.P.C in
FIR No. 176 dated 12.08.2017
Under section 21/61/85 of NDPS Act,
Police Station Sadar Zira.

Present: Sh. Adish Kumar Advocate, counsel for the applicants Gajjan Singh and Gurjeet Singh.
Sh. Dalip Kumar, Addl. Public Prosecutor for State.

ORDER:

Record of the trial court bearing file No. 51 of 08.02.2018,
CIS No. NDPS/3/2018 relating to FIR in question bearing No. 176 of
12.08.2017 under section 21/61/85 of NDPS Act, P.S. Sadar Zira received

from the concerned trial court of Sh. Lovedeep Hundal, SDJM, Zira. Arguments on bail application heard.

2. As per the record, both the applicants were challaned by P.S. Sadar Zira in the aforesaid FIR to face a trial under section 21/61/85 of NDPS Act on account of recovery of 1 gram of Heroin from each of the applicant. The applicants were on regular bail. The trial was fixed for prosecution evidence when on 16.07.2019, both the applicants absented from proceedings leading to cancellation of their bail/surety bonds on 16.09.2019 and issuance of their non-bailable warrants with notice to sureties. On the next date, the non-bailable warrants were received back unexecuted and the learned trial court issued proclamation proceedings under section 82 of Cr.P.C against the applicants and now the trial is fixed for 08.05.2020 for the said purpose.

3. It has been stated in the application that the applicants could not appear in the trial on the date fixed due to misunderstanding of date. An undertaking has been given in the application to be punctual in the trial in future.

4. From the record, it is found that the absence period of the applicants is not a longer one. They were regularly attending the

proceedings of the trial before their absence. No useful purpose is going to be served by keeping the applicants in jail. The recovery in this case is less than commercial i.e. 1 gram of Heroin from each of the applicant. So, the present bail application is allowed and is disposed of in the manner that in case the applicants surrender before the concerned Trial Court/Duty Magistrate, Zira, within a period of 15 days from today and furnish fresh bail/surety bonds to the satisfaction of the said learned court, they would be admitted to bail. The learned trial court will also proceed against the applicants under section 446 of Cr.P.C. Lower court record alongwith copy of this application be returned to the quarter concerned. Record of bail application be consigned.

Announced in open court.

Date of order: 05.03.2020.

Typed by: Pritpal Singh
Stenographer Gr. II

**Sd/-
(Gurnam Singh-II)
Additional Sessions Judge,
Ferozepur.
(UID: PB0094)**