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IN THE COURT OF SH. KARAMJIT SINGH SULLAR
JUDGE SPECIAL COURT, HOSHIARPUR
UID NO. PB0141

CIS No. BA/2798/2024
CNR No. PBH001008312-2024
Date of order: 04.10.2024

Pushpinder Singh @ Bhinda aged 24 years son of Surinder Pal resident of village Kandhala Jattan, Hoshiarpur.

....Applicant-accused

Versus

State of Punjab

....Respondent.

FIR No. 181 dated 25.10.2022
U/s 22 of ND&PS Act, 1985
and Section 482, 379, 411 IPC
Police Station: Bullowal Distt. Hoshiarpur.

(FIRST APPLICATION FOR REGULAR BAIL U/S 483 BNSS)

Present: Shri Sandeep Deputy Chief legal aid defence counsel for applicant-accused.
Shri Varinder Kumar Public Prosecutor for State.

ORDER:

1. This order of mine shall dispose of application moved by applicant/accused for grant of regular bail in the above noted case.
2. As per case of prosecution, on 25.10.2022 ASI Narinder Singh of PS Bullowal alongwith other police officials was going towards village Khadiala Sainia, Sikri etc. in connection with patrolling duty. When the police party reached in the area of village Taggran, then they received

Karamjit Singh Sullar,
Judge Special Court,
Hoshiarpur-UID No.PB0141

secret information that Arashdeep Singh @ Ashi s/o Sohan Singh is in the business of selling drugs on his motorcycle bearing No. PB-07-S-5879 and he is also drug addict and at present, he is waiting for his customers on Sahabdi road near village Taggran and if raid is conducted, he can be apprehended. Believing the information being reliable, ASI Narinder Singh alongwith police party had reached at the disclosed place and they saw that one person was sitting on the motorcycle, who on seeing the police party had thrown one polythene envelop on the left side of the road. On suspicion, he was apprehended. From the said envelop, thrown by accused Arashdeep, 15 grams intoxicant powder was recovered. Accordingly, FIR U/s 22 of NDPS Act was registered against accused Arashdeep Singh. During investigation, accused Arashdeep Singh had disclosed that the motorcycle bearing No. PB-07-S5879 was taken from Ajit Singh, on the basis of which, said Ajit was also nominated as accused in the present case. Accused Ajit Singh had also suffered disclosure statement that he had purchased the said motorcycle from his friend Bhinda (bail applicant). On the basis of said disclosure statement, applicant-accused was also nominated as accused in this case. The applicant-accused was arrested in this case on 17.2.2023. Hence, this application for regular bail.

3. The learned counsel for applicant-accused contended that the applicant-accused is falsely implicated in this case on the basis of confessional statement of co-accused Ajit Singh, which is not admissible

in the eyes of law. He further contended that the applicant-accused is in custody since 17.2.2203 and nothing is to be recovered from him. He further contended that the challan has already been presented in the Court and conclusion of trial shall take sufficient time and no useful purpose would be served by keeping the accused behind the bars. So, it is prayed that applicant-accused may be released on bail.

4. On the other hand, the learned Public Prosecutor for the State opposed the bail application on the ground that the applicant-accused alongwith his co-accused Ajit Singh had affixed fake number plate on the motorcycle as PB07-S-5879 instead of its original number PB-07-BP-1427, so, in view of the gravity of offence the applicant-accused is not entitled to be released on bail in this case.

5. I have heard the arguments of the Ld. counsel for the applicant-accused as well as the Ld. Public Prosecutor for the State and also perused the police record.

6. As per case of prosecution, accused Arashdeep Singh was apprehended by the police with 15 grams of intoxicant powder alongwith motorcycle bearing No. PB-07-S-5879. Since the motorcycle recovered from the main accused Arashdeep was found having fake number plate, then vide DRR No. 28 dated 24.11.2022 offence U/s 482,379,411 IPC were added in this case. The name of present applicant was disclosed by co-accused Ajit Singh, who told that he had taken the above said motorcycle from the

applicant-accused. The applicant-accused is in judicial custody since 17.2.2023 and nothing is to be recovered from the accused at this stage. The challan has already been presented in the Court. The conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the accused in custody. Therefore, the application for regular bail, filed by the applicant-accused Pushpinder Singh @ Bhinda, is allowed and he is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of Illaqa/duty Magistrate and after accepting the bail/surety bonds same be returned to this court immediately. Copy of this order be sent to the Court concerned for necessary compliance. File of bail application be attached with the main case.

Announced in open Court:
Dated: 04.10.2024.

Kulvinder Singh JW
Direct dictation

(Karamjit Singh Sullar),
Judge Special Court
Hoshiarpur
UID No. PB0141

Karamjit Singh Sullar,
Judge Special Court,
Hoshiarpur-UID No.PB0141