

**IN THE COURT OF MS.LUKHVINDER KAUR DUGGAL,
JUDGE SPECIAL COURT, FEROZEPUR.**

*BA No.2777-2025
CNR No.PBFZ0100-6871-
2025
Decided on 1.10.2025*

Vishal @ Vishu aged 23 years son of Mohinder @ Kala, resident of Village Khalchian Jadid, Tehsil and District Ferozepur.

.....Applicant-Accused.

Versus

State of Punjab.

....Respondent.

FIR No.239 dated 1.9.2025
U/s 21/29/61/85 of NDPS Act
Police Station: Sadar Ferozepur.

First Application for grant of bail u/s 482 BNSS.

Present: Sh. A.K.Raheja, Advocate for the applicant-accused, namely, Vishal @ Vishu.
Sh. Sahib Singh, learned APP for the State, with
ASI Kulwant Singh, No.567/FZR PS Sadar FEROZEPUR.

ORDER

1. This order of mine shall dispose of anticipatory bail application filed by the applicant/accused under section 482 BNSS, in the case mentioned above.

2. Notice of the bail application was given to State and Sh. Sahib Singh, learned APP has appeared on behalf of the state. The concerned Ahlmad has reported that as per CIS system, this is first

anticipatory bail application of applicant/accused. No other bail application of application is pending or decided in the same FIR and as per the Hon'ble High Court site, no bail application of the applicant regarding the present FIR is pending or decided. ASI Kulwant Singh, No.567/FZR PS Sadar FErozepur has produced the record of investigation and suffered statement that this is the first bail application of the accused. No such bail application is pending or decided by any Court including Hon'ble High Court. Three other FIR's are registered against the accused. The recovery in this case is 102 grams heroin. Present accused is nominated under section 29 NDPS. The custodial interrogation of accused is required in this case.

3. In brief, the case of the prosecution is that on 1.9.2025, present FIR was registered against co-accused/non-applicants Dharminster Gill and Gurshran Singh when police party was on patrolling in connection to check the suspected person and was going towards village Karian Pehwalan and when police party reached village Karian Pehlwan, then one motorcycle was seen coming, who on seeing the police party got perplexed and tried to turned back but they were apprehend and lateron 102 Grams Heroine were recovered from them, without any valid permit or license. Applicant/accused was

nominated under section 29 of NDPS on the disclosure statement of non-applicant/co-accused. As such, applicant/accused was booked as accused in the present case.

4. The learned counsel for the applicant/accused has argued that the accused/applicant is quite innocent and he has been falsely implicated in the present case. He further argued that applicant/accused was nominated on the statement of co-accused, which is inadmissible piece of evidence. He further argued that except statement of co-accused before police officer, there is no other evidence against the applicant/accused. Police is raiding the house of the applicant/accused and he apprehends his arrest. He is ready to join the investigation. Lastly, he prayed for grant of anticipatory bail.

5. On the other hand, learned APP for the state strongly opposed the bail and contended that custodial interrogation of the applicant-accused is required and therefore, no concession of anticipatory bail should be granted to the applicant/accused.

6. I have considered the submissions made by the learned counsel for the applicant-accused, as well as, learned APP for the state, in the light of the record produced before me.

7. Heard. Record perused. As per the prosecution version, on 1.9.2025, present FIR was registered against co-accused/non-applicants Dharminder Gill and Gursharan Singh when police party was on patrolling in connection to check the suspected person and was going towards village Karian Pehwala and when police party reached village Karian Pehlwan, then one motorcycle was seen coming, who on seeing the police party got perplexed and tried to turn back but they were apprehended and later on 102 Grams Heroine were recovered from them, without any valid permit or license. Applicant/accused was nominated under section 29 of NDPS on the disclosure statement of non-applicant/co-accused. As such, applicant/accused was booked as accused in the present case. As per prosecution, recovery has already been effected from non-applicants/co-accused. Since recovery of contraband is already effected, as such, the custodial interrogation of the accused/applicant is not required. Further, in this case the applicant/accused is ready to join the investigation. This Court is of the considered opinion that ends of justice shall be squarely met if the accused/applicant is directed to make himself available to facilitate thorough and fair investigation.

8. Thus, without expressing any opinion on the merits of the case, the applicant/accused is granted anticipatory bail and he is directed to appear before the Investigating Officer and join the investigation within 5 days before the IO/SHO and upon doing so, the concerned SHO/IO is directed to release the applicant on interim bail to his own satisfaction. The applicant-accused shall abide by the terms and conditions as envisaged u/s 482(2) BNSS. IO/SHO shall report regarding the same on 9.10.2025. Copy of this order be sent separately to the concerned police station for information and necessary compliance. Now, to come on 9.10.2025 for awaiting report of Investigating Officer. Police record be returned.

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Pronounced in the
open Court on
1.10.2025.

Typed by Rohit Kakar
Stenographer I
** directly dictated.*

(Lukhvinder Kaur Duggal)
Judge Special Court,
Ferozepur.
UID No.PB0156