

IN THE COURT OF Mrs. PAMELPREET GREWAL KAHAL
JUDGE SPECIAL COURT, FAZILKA.

BA-3103-2025

CNR No. PBFZC000-7800-2025

Date of Institution: 01.11.2025

Date of Decision:-06.11.2025

Kulbeer Singh @ Giani, aged about 50 years son of Sunder Singh, resident of village Azamwala, Tehsil and District Fazilka.

.....Applicant

Versus.

State

FIR No.130 dated 22.12.2024

Under Sections:-21/61/85 NDPS Act.

P.S. Khui Khera.

Present: Sh. Rahil Birla, Adv for applicant/accused.

Ms. Shikha Dhall, Ld. Addl. PP for the state alongwith

ASI Ravi Kant.

APPLICATION FOR REGULAR BAIL

ORDER:

This order of mine shall dispose off the application for grant of regular bail moved by applicant/accused Kulbeer Singh @ Giani.

2. In brief, the allegations against the accused/applicant are that on 22.12.2024 in the area PS Khui Khera, co-accused Arshdeep Singh was

apprehended with 25 grams of Heroin. Present applicant-accused has been nominated on the disclosure statement of said co-accused Arshdeep Singh.

3. Upon notice the police record was perused and statement of ASI Ravi Kant, 143/FZK was recorded. Report of Ahlmad has also been seen that this is the first bail application of the accused.

4. I have heard the submissions of the Ld. Counsel for accused and the Ld. APP for the state. Ld. APP for the state has argued that accused person has committed serious crime due to which benefit of bail should not be granted. On the other other hand Ld. Counsel for accused has argued that the accused has been falsely implicated merely on the disclosure statement of co-accused whereas nothing has been recovered from the present applicant-accused. The trial and conclusion of the evidence would take long time. The applicant/accused is already in custody since 24.12.2024. FSL has not been received till date. The recovery is falls in the category of non-commercial quantity. With these submissions prayer for bail was made.

5. Police record is perused. The contraband alleged to be recovered in this case from the accused person is 25 gm of Heroin, which falls in non-commercial category. The applicant/accused is in custody since 24.12.2024. FSL report has not been received till date. No doubt there are 5 more FIRs under NDPS Act are pending against the applicant-accused, but the same cannot be a ground to decline the present bail application as per law laid down in **Prabhakar Tewari VS State of U.P. and another, Criminal Appeal No. 153 of 2020 decided on 24.01.2020 by the Hon'ble Supreme Court of India.** The completion of investigation,

presentation of challan and conclusion of trial would take long time. As such, no useful purpose would be served by detaining the accused/ applicant into custody for an indefinite period as pretrial detention would never be considered in the interest of justice. Keeping in view these facts and circumstances of the case, the instant bail application is hereby allowed and accused-applicant **Kulbeer Singh @ Giani** is ordered to be released on bail on furnishing of bail bonds in the sum of Rs.35,000/- with one surety in the like amount to the satisfaction of learned Area Magistrate/learned Duty Magistrate.

6. However, any observation given in this order shall not effect on merits of the main case. Copy of order be placed in the remand papers by the Ahlmad. Copy of order be also sent to concerned jail authorities by Ahlmad through email immediately for intimation to the accused. Ahlmad is directed to send the copy of order alongwith remand papers to the court of learned Area Magistrate/learned Duty Magistrate for compliance with the directions to send back the same alongwith bail bonds and surety bonds to this Court. Police record be returned, whereas bail application file be consigned to the Record Room after due compliance.

PRONOUNCED IN OPEN COURT.

Dated: 06.11.2025

PAMELPREET GREWAL KAHAL
JUDGE SPECIAL COURT,
FAZILKA (UID No.PB0304)

‘Jasvir Singh, Stenographer Gr.II’

Present: Sh. Rahil Birla, Adv for applicant/accused.

Ms. Shikha Dhall, Ld. Addl. PP for the state alongwith

ASI Ravi Kant.

Arguments on bail application heard. Vide my separate detailed order of even date, instant bail application has been allowed. Copy of order be also sent to concerned jail authorities by Ahlmad through email immediately for intimation to the accused. Ahlmad is directed to send the copy of order alongwith remand papers to the court of learned Area Magistrate/learned Duty Magistrate for compliance with the directions to send back the same alongwith bail bonds and surety bonds to this Court.

Police record be returned. Papers be attached with pending remand papers.

File be consigned to the record room after due complianace.

PRONOUNCED IN OPEN COURT.

Dated: 06.11.2025

PAMELPREET GREWAL KAHAL
JUDGE SPECIAL COURT,
FAZILKA (UID No.PB0304)

‘Jasvir Singh, Stenographer Gr.II’