

**IN THE COURT OF Ms.SANJEETA,
JUDGE SPECIAL COURT,
BATHINDA (UID: PB-0177).**

CRN. No.PBBT01-001030-2020.
CIS No. BA-307 of 2020.
Decided on:07.02.2020.

State	Versus	Pappu Singh son of Mohinder Singh, resident of village Nagla, Tehsil Lehragaga, Distt. Sangrur (now confined at Central Jail, Bathinda).
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.....Applicant/accused.

FIR No.186 of 26.10.2019.
U/S 15, 25 of NDPS Act.
Police Station: Sadar (Bathinda).

Bail Application Under Section 439 Cr.P.C.

Present: Sh.Sanjeev Gupta, Counsel for applicants/accused.
Sh.Daljit Sharma, Addl. PP for the State.

ORDER

1. This order of mine shall dispose of regular bail application moved on behalf of applicant/ accused under Section 439 Cr.P.C. in the above noted case.
2. Notice of the bail application was given to Addl. PP for the State, who has opposed bail application.
3. Learned counsel for the applicant/ accused has vehemently contended that accused has been falsely implicated in the alleged crime. Accused was arrested on 26.10.2019 and since then, he is in jail. So, he has prayed for the acceptance of bail application.

4. On the other hand, learned Addl.PP for the State has opposed this bail application alleging that the recovery effected from the accused/ applicant fall within the ambit of commercial quantity, so he does not deserve the concession of bail.

5. I have considered the arguments of learned counsel for the applicant/ accused as well as learned Addl.PP for the State and have gone through the record of this case.

6. As per the story of the prosecution, 26.10.2019, accused Harnaib Singh, Pappu Singh and Rajwinder Singh were arrested while sitting in a truck bearing No.PB-11CF-3189. From the search of truck, two sacks containing 30 Kgs. poppy husk in each bag i.e. total 60 Kg. poppy husk, were recovered. The recovery effected from the applicant/ accused, on the face of it, falls within the ambit of commercial in nature quantity.

7. According to Section 37 of NDPS Act, 1985, no person or accused of an offence punishable for offences involving commercial quantity, shall be released on bail, unless the court is satisfied that there are reasonable ground for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

8. In the present case also, there are no reasonable grounds for believing that accused/ applicant is not guilty of such offence attributed to him and he is not likely to commit any offence, while on bail. Consequently, in view of Section 37 of NDPS Act, 1985, the bail

application moved by applicant/accused is hereby dismissed. Record of the present bail application be tagged with the connected papers.

Pronounced in the Open Court:
Dt.07.02.2020.

Kulwinder Singh,
Stenographer-II.

(Sanjeeta),
Judge Special Court,
Bathinda (UID:PB0177).

CRN. No.PBBT01-001030-2020.

CIS No. BA-307 of 2020.

State Vs. Pappu Singh

Present: Sh.Sanjeev Gupta,Counsel for applicants/accused.
Sh.Daljit Sharma, Addl. PP for the State.

Arguments heard on the bail application. Vide my separate and detailed order of even date, the bail application has been dismissed. Record of the present bail application be tagged with the connected papers.

Pronounced in the Open Court:
Dt.07.02.2020.

(Sanjeeta),
Judge Special Court,
Bathinda (UID:PB0177).

Kulwinder Singh,
Stenographer-II.