

Ajaib Singh Versus State. BA No.0307 of 2021.
(CNR No.PBHO01-000866-2021).

‘Application U/s 439 Cr.P. C for Regular Bail’.

Present: Shri P.S Ghuman, Counsel for applicant-accused.
Mrs. Mandeep Chahal, Additional PP for the State.

ORDER:

Applicant Ajaib Singh is seeking bail in FIR No.08 dated 18.1.2021, under Section 18 (b)-61-85 of ND&PS Act pertaining to Police Station Dasuya, District Hoshiarpur.

2. Upon notice, application is opposed by Learned Additional PP for the State on the ground that allegations against accused are serious and he cannot be granted bail because the offence is heinous in nature. So, he has prayed that application be dismissed.

3. Version of prosecution in nut-shell is that on 18.1.2021, SI Tarsem Singh alongwith ASI Rachhpal Singh and other police officials were on patrolling duty and were going from T-Point Hajipur Road, Dasuya towards Bus Stand Dasuya. When the police party reached at Bus Stand Dasuya, they found one Sikh person standing there and on seeing the police party, he tried

to slip away but he was apprehended on the basis of suspicion. On asking, he disclosed his name as Ajaib Singh @ Jaiba son of Bachan Singh, resident of Village Pokharwal, Police Station Srihargobind Pur, District Gurdaspur. After complying with the provisions of law, search of the accused was conducted in the presence of police officials. From the right pocket of trouser of accused, one plastic envelope containing opium was found which on weighment came to be 200 gram which was turned into parcel and sealed by I.O with his seal impression 'TS'. Seal after use was handed over to ASI Lakhbir Singh. Accordingly, FIR was registered against the accused after sending Ruqa and he was arrested. Other formalities were completed.

4. Learned Counsel for applicant-accused has contended that applicant has been falsely implicated in the said case, as such he be released on bail. As per schedule attached to ND&PS Act, the recovered contraband falls below the commercial quantity. The applicant-accused is in custody since his arrest i.e. 18.1.2021. The presentation of challan and conclusion of trial may take time. No useful purpose will be served by keeping the applicant-accused in custody, rather it will be burden on the State Exchequer. Without commenting on the merits of the case, applicant-accused Ajaib Singh is ordered to be released on bail subject to his furnishing personal bail bonds in the sum of Rs.40,000/- with one surety in the like amount subject to the conditions that he will appear in the court on each and every date of hearing, will not tamper with the prosecution evidence and will not leave India without prior permission of this court. Bail application stands disposed of accordingly. Record be returned and file be attached with the remand papers.

Announced in open court:
Dated: 23rd February, 2021.

'Gautam Manocha, JW (SG)'

(Sandeep Kumar Singla),
Judge, Special Court, Hoshiarpur.
(UID No.PB-0118).