

**In the Court of Bagicha Singh,
Judge, Special Court, Sangur.
UID Number PB0264**

BA No.3068/16.10.2024.
CIS No. PBSG010087492024.
Decided On: 24.10.2024.

Jasvir Singh alias Jura aged about 40 years son of Mukand Singh resident of Ward no. 20, Andrala Vehra, Indra Basti, Tehsil Sunam, District Sangrur. (Now confined in Central Jail Bathinda).

...Applicant/accused.

Versus

State of Punjab

FIR No. 273 dated 08.12.2023
Under Sections 21/22/29/61/85 NDPS Act,
Police Station City Sunam.

Bail Application under section 483 BNSS.

Present: Shri S. S. Grewal Advocate, for applicant/accused.
Shri Munish Singla, APP for the State.

ORDER

This order of mine shall dispose off bail application filed by accused/applicant for grant of regular bail.

2. Counsel for the accused/applicant submitted that accused/applicant has been falsely implicated in this case. He has not committed any offence. He further submitted that on 07.12.2023 in the afternoon applicant alongwith his sister Sudharo and his relative Charno wife of Nachhattar Singh resident of village Jalan, Sunam was returning to his village after attending the hearing of Excise case of applicant in the Civil Courts Sunam and when the applicant alongwith above said persons

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reached near Engineer College Sunam and Sukhi (Tekhedar of Wine Shop) alongwith three persons was standing there and they wrongfully confined the applicant alongwith above said persons and made the search of applicant, but they did not recover anything from the possession of applicant and the above said persons took the applicant to police station Dana Mandi Sunam and the police official Cherry and SHO of P.S. Anaj Mandi Sunam alongwith other police officials gave beating to applicant and thereafter the police official Cherry alongwith above said persons came at the house of applicant and entered in the house of applicant forcibly by breaking the locks of the door and also broken the washing machine of applicant and they did not recover any illegal article or substance from the house of applicant and thereafter the police officials took the applicant at Police Station Anaj Mandi and they were not having any written complaint or arrest warrant of applicant and thereafter police wrongly showed the arrest of applicant at near Bridge Canal Sandhuan Road and illegally confined the applicant at Jail. The applicant is having video recording in this regard and the copies of Footage is attached herewith. Accused/applicant is in judicial custody since 08.12.2023. So, he be released on bail.

3. On the other hand, APP for the State opposed the bail application on the ground that recovery effected from the accused/applicant falls under commercial quantity. So, accused is not entitled for bail.

4. After hearing the arguments of learned APP for the State and

learned counsel for the accused, I have perused the police file.

5. The allegations against accused are that on 08.12.2023 at about 4:15 PM, SI Jagtar Singh alongwith other police officials in search of bad elements were present at Jawandha road, Sunam then one gentleman was coming from truck union and he was holding a polythene in his hand and after seeing the police party, he threw the polythene near the road. He was apprehended by the Investigating officer and on asking he disclosed his name as Jasvir Singh alias Jurra son of Mukand Singh. On checking, 100 strips containing 10 tablets each total 1000 intoxicating tablets make Tramadol Hydrochloride were recovered from the bag. Since the recovery falls under commercial quantity. So, he is not entitled for bail. There is no merit in the application and the same is dismissed. However, it is made clear that observation made herein above shall not be construed as an expression on the merits of main case. The bail application file be attached with the main file.

Pronounced in open Court
Dated: 24.10.2024
Shama, Stenographer

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