

PBSA010084442025



Presented on : 30-08-2025
Registered on : 30-08-2025
Decided on : 03-09-2025
Duration : 0 years, 0 months, 4 days

**IN THE COURT OF
Additional District and Sessions Judge-2
AT Mohali,S.A.S Nagar
(Presided Over by Mrs. Neetika Verma)**

BA/3079/2025

Santokh Singh son of Jinder Singh, R/o Village Rasoolpur, District
Roopnagar, presently R/o Village Kumbra, Phase-8, SAS Nagar,
Mohali.

.....Accused/petitioner

Versus

State of Punjab.

.....Respondent

**(Bail application for grant of regular bail under
Section 483 of BNSS after absent from the
proceedings of the case)**

-0-0-

FIR No. 104 Dated 07.08.2019
Under Section: 22/61/85 of NDPS Act
Police Station : Phase-8, Mohali.

-0-0-

Present : Sh.Lovedeep Sareen, Advocate for the applicant/accused.
Sh. R.S. Ahluwalia, Additional Public Prosecutor for the
State.

O R D E R

1. This order shall decide the second application for bail
under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023

(hereinafter referred to as BNSS) filed on behalf of the applicant/accused in case FIR No104 dated 07.08.2019 under Section 22/61/85 of NDPS Act registered at Police Station Phase-8, Mohali.

2. The very substance of the application being that applicant/accused is innocent and had been falsely implicated in this case. It has further been contended that the applicant/accused was arrested by the police on 07.08.2018 and thereafter, he was granted the concession of bail in this case and he was regularly appearing before the Court on each and every date of hearing. It was further contended that the applicant/accused was arrested in some other case on 23.06.2024 and was unable to inform his counsel or the Court and as such, his non-bailable warrants were issued and thereafter, it came on record that the applicant/accused was arrested in FIR No.62/2024 and was lodged in Nabha Jail and thereafter, his production warrants were issued. His absence from the court proceedings was not intentional. So he be given the concession of bail.

3. Notice of the bail application was given to the State. Learned Addl. P.P for the State has opposed the bail application.

4. Heard. The judicial file has been perused. Perusal of the same transpires that the accused/applicant was admitted on bail by the Hon'ble Punjab & Haryana High Court after considering all the facts and circumstances of the case, allegations, as well as recovery effected from the accused. The accused/applicant had been appearing before the Court on each and every date of hearing, but he absented from the

Court on 08.11.2023 and thereafter, notice to him was issued . However, failure of the accused to appear before the Court, necessitated the cancellation of his bail order on 08.05.2024 and his bail bonds and surety bonds were forfeited to the State and non-bailable warrants of arrest against him were issued. The said non-bailable warrants of arrest received back with the report that he was lodged in Nabha Jail in some other case and correspondingly, production warrants of the accused/applicant were issued. He was produced from custody by the concerned jail authorities. Thus, non-appearance of the accused/applicant before the Court was on account of the fact that his freedom was restrained due to the fact that he was lodged in jail. He could not contact his counsel so as to move his exemption application. In such peculiar circumstances, bonafides of the accused/applicant cannot be doubted as after the grant of bail to him by the Hon'ble Punjab & Haryana High Court, he had not misused the concession of bail and it was only on account of his arrest in some other case that he failed to appear before the Court. In such circumstances, the present bail application is allowed and the applicant/accused **Santokh Singh** is admitted to bail on furnishing of bail bonds and surety bonds in the sum of Rs.1,00,000/- with one surety in the like amount before this Court upon the following conditions-

1. That the accused/applicant shall attend the Court on each and every date of hearing;

2. That the accused/applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

3. That the accused/applicant shall not directly or indirectly make an inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

4. That the accused/applicant shall not leave the country without prior permission of Court.

A soft copy of this bail order be sent by email to the accused/applicant through the jail superintendent immediately.

9. It is made clear that none of the observation made by this court would ever influence the decision of the court on merits of the case. Papers be attached with the main case file pending for 16.10.2025.

Pronounced in Open Court.
Dated: 03.09.2025

Tajinder Singh

(Neetika Verma),
Judge, Special Court,
SAS Nagar/UID-PB0209

Santokh Singh Vs. State of Punjab

BA-3079-2025

Present : Sh.Lovedeep Sareen, Advocate for the applicant/accused.
Sh. R.S. Ahluwalia, Additional Public Prosecutor for the State.

Judicial file perused. Arguments heard. Vide my separate detailed order of even date, the present bail application is allowed. A soft copy of this bail order be sent by email to the accused/applicants through the jail superintendent immediately in view of the directions passed by the Hon'ble Supreme Court of India vide order dated 31.01.2023 in **SMWP(Crl.) 4/2021 titled as In Re Policy Strategy For Grant of Bail**. Papers be attached with the main case file pending for 16.10.2025.

Pronounced in Open Court.
Dated: 03.09.2025

(Neetika Verma),
Judge, Special Court,
SAS Nagar/UID-PB0209

Tajinder Singh