

**IN THE COURT OF SH.DARBARI LAL,
ADDITIONAL SESSIONS JUDGE, AMRITSAR.**

Bail application No. : 2817
CNR Number : PBAS01-006544-2021.
Date of Institution : 24.5.2021.
Date of Order : 27.5.2021.

State Vs. Tarsem Singh @ Soma aged 35 years son of
Darshan Singh, resident of village Dhattal, P.S.
Gharinda, District Amritsar.

.....Accused/applicant.

FIR No.215 dated 23.10.2020
Under Sections 21 and 29 of NDPS Act.
P.S.Chheharta, Amritsar.

Ist bail application under Section 439 Criminal Procedure Code.

Present: Sh.Amit Kumar Kalia Advocate, counsel for accused-
applicant.
Sh.Sandeep Sharma, Addl.PP for the State.

ORDER

1. Present bail application has been moved on behalf of
accused-applicant under Section 439 of Criminal Procedure Code in FIR
No.215 dated 23.10.2020 at Police Station Chheharta, Amritsar, under
Sections 21 and 29 of NDPS Act.
2. Notice of the bail application was issued to the prosecution
and Sh.Sandeep Sharma, Addl. PP for the State has appeared on behalf of

State.

3. I have heard arguments of the learned counsel for the accused-applicant and learned Addl. PP for the State.

4. The learned counsel for accused-applicant contended that the accused-applicant is innocent and has been falsely implicated in this case. Whereas, he has committed no offence. He has been arrested in this case on 23.10.2020 and since then he is in custody. Presentation of challan and conclusion of trial shall take long time. No useful purpose shall be served by keeping the accused-applicant behind the bar for unlimited period. He lastly prayed that the accused-applicant be released on bail.

5. On the other hand, the learned Addl. PP strongly opposed the bail application of accused-applicant and prayed for dismissal of the same.

6. Having heard both sides, I have gone through the file. Perusal of file reveals that present case has been registered against the accused-applicant alongwith his co-accused Gurbir Singh on the statement of SI Waris Masih who was present at main gate Partap Mill, Chheharta, Amritsar, where the accused-applicant alongwith his co-

accused came on Aactiva bearing registration No.PB-02-DM-9564 and they were apprehended. His co-accused was driving the Aactiva and the accused-applicant was pillion rider. From personal search of his co-accused Gurbir Singh, 255 grams Heroin was recovered which shows that accused-applicant alongwith his co-accused were in conscious possession of alleged 255 grams Heroin. More than, 250 grams of Heroin falls under the ambit of commercial quantity. The alleged recovery effected from the conscious possession of the accused-applicant falls under the ambit of commercial quantity. As such, this Court is of the considered view that the accused-applicant is not entitled for bail. So, the instant bail application filed by the accused-applicant is hereby dismissed. Police record be returned forthwith. Bail application file be tagged with the remand papers.

Pronounced in the open Court
27.5.2021

Rakesh Kumar
(Stenographer Gr.I)

(Darbari Lal),
Additional Sessions Judge,
Amritsar.
(UID no.PB0087)

State Vs. Tarsem Singh

BA No.2817/2021

Present: Sh.Amit Kumar Kalia Advocate, counsel for accused-applicant.
Sh.Sandeep Sharma, Addl.PP for the State.

Police record received and perused. Arguments heard. Vide

my separate order of even date, present bail application is dismissed.
Police record be returned forthwith. Bail application file be tagged with
the remand papers.

Pronounced in the open Court

27.5.2021

Rakesh Kumar

(Stenographer Gr.I)

(Darbari Lal),

Additional Sessions Judge,

Amritsar.

(UID no.PB0087)