

**IN THE COURT OF SHRI GURPARTAP SINGH
JUDGE SPECIAL COURT, SANGRUR
(Unique Identification No.PB-0206)**

B.A/CIS. No.2819 of 2021

Date of order: 25.08.2021.

Mohd. Tanvir son of Mohd. Jamil, resident of Mohalla Pathran Wala,
Malek, Malerkotla.

.....Applicant.

Versus

State of Punjab

.....Respondent.

FIR No.104 Dated 03.08.2021.

U/s 22/29/61/85 NDPS Act.

Police Station: City-I, Malerkotla, District Sangrur.

Bail application Under section 438 Cr.P.C.

Present:- Shri Jatinder Singh Bagri Advocate, counsel for the
applicant.
Shri Puneet Khanna, Additional PP for the State.

ORDER

1. This is an application for seeking anticipatory bail under Section 438 Criminal Procedure Code filed by accused-applicant **Mohd. Tanvir** in the aforesaid case.
2. Notice of the bail application was given to State. The learned Additional PP for the State, made appearance on behalf of the State and got produced the record.
3. I have heard the learned Counsel for applicant, Additional PP for the State and also perused the record.
4. It is submitted in the application as well as argued by the learned counsel that the applicant/accused is peace loving and law

abiding citizen of India. He has not committed any offence. The applicant has apprehension his arrest at the hands of the police officials of P.S.Bhogpur in the above said FIR. The applicant is an innocent person and has been falsely implicated in the above said case. No any recovery was effected from the applicant. The applicant has no concern with the alleged recovery. So the custodial interrogation of the applicant is not required. The applicant is not in a position to tamper with the prosecution evidence. The applicant will associate with the investigation when ever required to do so. The applicant is ready to join the investigation as and when so directed and will abide by all the conditions imposed by the Court. Hence, the prayer for relief of anticipatory bail.

5. On the other hand, while controverting his contentions, the learned Additional PP for the State has vehemently argued that on 03.08.2021 co-accused Wasim Iqbal and Mohd. Nisar were apprehended by the police along with motor cycle bearing No.PB-13AS-3958 Make Honda Dream New 110 and from the polythene carry bag, which was thrown by Mohd. Nishar (pillion rider) 700 intoxicant tablets of Tramadol Hydrochloride, 4900 intoxicant tablets of Alprazolam were recovered. During interrogation, co-accused disclosed that they have purchased the intoxicant tablets from Aslam Parvez, who was present at the shop located on Manna Road, Malerkotla being run under the name and style of Shiyama Pharmaceuticals,. As such, Aslam Parvez was nominated Under Section 29 of NDPS Act as being supplier of the contraband. Further raid was conducted and Parvez was apprehended by

the police party along with motor cycle bearing No.PB-08EB-3666. From the polythene carry bag, which was tied with the handle of motor cycle 2400 intoxicant tablets of Etizolam Mouth Dissolving tablets were recovered. Co-accused Aslam Parvez during interrogation disclosed that he has used to sell the intoxicant tablets to Mohd. Tanvir (Bail applicant) on a number of occasions. As such, the present bail applicant was nominated in the present case, so the applicant does not deserve the leniency of the Court in grant of relief of bail.

6 A huge recovery is alleged to have been made from the possession of co-accused. The need of the hour is to choke the supply of drugs and to curb it with iron hands. Custodial interrogation of bail applicant is required for questioning him with regard to the contraband purchased by him from the co-accused. Huge recovery of 700 intoxicant tablets of Tramadol Hydrochloride, 4900 intoxicant tablets of Alprazolam and 2400 intoxicant tablets of Etizolam Mouth Dissolving tablets has been effected from co-accused and the allegations are with regard to the bail applicant purchasing the same from the co-accused and a nexus being run by them for sale and purchase of intoxicant. As such, the application in hand stands dismissed. Bail application file be tagged with the remand papers.

Date of order:25.08.2021.
Mamta Threja,JW

(Gurpartap Singh),
Judge Special Court,
Sangrur.

