

IN THE COURT OF NARESH KUMAR GARG,
JUDGE, SPECIAL COURT, VACATION JUDGE, JALANDHAR
(UID No. PB00841)

CNR No. PBJL010094452025



Case No. BA/4616/2025

Presented on : 05-06-2025
Registered on : 05-06-2025
Decided on : 10-06-2025

Manorath Singh @ Sonu, aged about 48 years s/o Sh.Randhir Singh
r/o 18-D, Sawarn Park, Village Gadaipur, Jalandhar-144004.

.....Petitioner.

Vs.

State of Punjab

.....Respondent

FIR No.48 dated 09.05.2025
Under Section: 21 of NDPS Act,
Police Station: Divn.no.5, Jalandhar.

**First bail application under Section 483 Bhartiya Nagrik
Suraksha Sanhita (in short BNSS).**

Present: Sh.Amit Singh Sandha , Advocate Ld. counsel for
petitioner.
Ms.Aarti Mehta, Ld. AP.P. for respondent/State assisted
by ASI Tarsem Lal.

ORDER:

1. File put up before the undersigned during summer vacations
being Vacation Judge. This order shall dispose of this application
filed by above petitioner for grant of bail under Section 483 of
Bhartiya Nagrik Suraksha Sanhita for alleged commission of

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aforementioned offences.

2. Upon notice, learned Additional P.P. assisted ASI Tarsem Singh appeared on behalf of State and contested the bail application. Police record was also requisitioned and perused.

3. As per the prosecution version, on 09.05.2025, a police party led by investigating officer ASI Mangat Singh nabbed petitioner Manorath Singh and his accomplice Shubham @ Shambu along with 10 gram Heroin. After completing the necessary formalities, the present FIR was registered.

4. It is submitted by learned counsel for petitioner that the petitioner has been falsely implicated in this case. It is further submitted that the petitioner is in custody since 09.05.2025. It is submitted that no recovery is to be effected from the petitioner. It is submitted that the quantity of Heroin allegedly recovered from the petitioner is of non commercial quantity. The conclusion of investigation and presentation of challan shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period. It is further submitted that report of FSL has not been received till date. It is further submitted that the proper compliance of mandatory provisions of NDPS Act has not been made and he prayed that petitioner may be released on regular bail.

5. On the other hand, it is submitted by learned Addl. P. P. that

present petitioner along with accomplice Shubham @ Shambu was apprehended on 09.05.2025 and 10 gram Heroin was recovered from the conscious possession of the present petitioner. It is submitted that the petitioner committed the serious offence of drug peddling. It is submitted that investigation is still pending. It is submitted that challan is likely to be submitted very soon. It is submitted that the petitioner does not deserve concession of regular bail and if he be released on bail he may again indulge in similar offence and he can also flee from the process of law. With these submission, Ld. Addl. PP requested for dismissal of the present bail application.

6. I have considered the rival contentions of learned counsel for petitioner as well as of learned Addl. P. P. for State assisted by ASI Tarsem Lal.

7. After hearing the submissions of the Ld. APP for the State, learned counsel for the petitioner and perusal of the record reveals that as per the allegations, petitioner Manorath Singh @ Sonu along with his accomplice Shubham @ Shambu were apprehended with 10 gram Heroin on 09.05.2025. The recovery effected from the present petitioner does not fall under commercial quantity and the accused/applicant is in custody since date of his arrested. Moreover, alleged recovery falls within the definition of non commercial and thus, this court is of the considered opinion that the bar contained

under Section 37 of NDPS Act is not attracted towards the case of the petitioner. No other FIR is stated to have been pending against the petitioner. The conclusion of trial shall take sufficient long time. No purpose would be served by keeping the petitioner behind the bars for indefinite period. Mere pendency of other FIRs is not a bar to grant the regular bail to the petitioner. Hence, present bail application is hereby **allowed** and petitioner is admitted to regular bail on his furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of **learned Illaqa/Duty Magistrate**, subject to the following conditions:-

- 1. That he shall not leave the country without prior permission of the Court;*
- 2. That he shall not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;*
- 3. That he should regularly appear before the Court unless his personal appearance is exempted by the Ld. Court.*
- 4. He will co-operate with the investigating agency for the purpose of further investigation.*
- 5. He will furnish photocopies of his adhar card, pan card, passport, if any and statement of bank account.*

8. A Copy of this order be immediately sent to the concerned Jail through e-mail as well as to the leaned Illaqa Magistrate for information. Copy of this order be also placed on the main file/remand papers. Record of bail file be consigned to the record room. Police record be returned.

Pronounced in open court.
Dated 10.06.2025

(Naresh Kumar Garg)
Judge, Special Court (Duty),
Vacation Judge,
Jalandhar. (UID No.PB00841)

Note: All the five pages of this order have been checked and signed by me.

(Naresh Kumar Garg)
Judge, Special Court (Duty),
Vacation Judge,
Jalandhar. (UID No.PB00841)