

Jaskaran Singh @ Jimmi Vs. State of Punjab.

**IN THE COURT OF P.S. KALEKA,
JUDGE SPECIAL COURT, HOSHIARPUR.
(UID NO.PB-0253).**

CIS No.BA-1059-2026
CNR No:PBHO010032762026
Decided on: 04.05.2026

Jaskaran Singh @ Jimmi age 31 years son of Kashmiri Lal, resident of Jassowal, Tehsil Garhshankar, District Hoshiarpur.

.... Applicant

Versus

State of Punjab

....Respondent.

FIR No.51 dated 16.03.2026
U/s 22, 29 of NDPS Act
P.S. Mahilpur, Distt. Hoshiarpur

**PETITION UNDER SECTION 483 BNSS TO GRANT REGULAR BAIL
TO THE PETITIONER/ACCUSED IN FUR NO.51 DATED 16.3.2026
U/S 22, 29 OF NARCOTIC DRUGS AND PSYCHOTROPIC
SUBSTANCES ACT, (ND&PS) 1985, PS MAHILPUR.**

Present: Shri Shashi Kumar Advocate for bail-applicant.
Shri N.S. Gill, Ld. Addl. PP for the State.

ORDER:

This order of mine shall dispose of regular bail application filed by applicant Jaskaran Singh @ Jimmi in the above said FIR.

2. Notice of bail application was issued to the State through Learned Additional Public Prosecutor of the State, who put in appearance. He hadn't filed any reply to the bail application rather submitted that he will orally argue the matter. The police record was requisitioned. The same is produced in the

court and perused.

3. A separate certificate was given by the I.O., forwarded by the Addl. PP for the State, declaring that no other bail application in the present case is pending in any other Superior Court. A similar report in this regard was made by the Ahlmad of the Court.

4. The learned counsel for the applicant/accused has vehemently contended that the applicant/accused is innocent and has been falsely implicated in the present case. He further contended that the applicant/accused has been nominated in the present case on the basis of confessional statement of co-accused Sarabjit and Harpreet Singh, which has no evidential value in the eyes of law. The applicant/accused is in custody since last one month. The police had failed to join independent witness at the time of alleged recovery. The applicant/accused was not present or arrested at the alleged place of occurrence and no recovery was effected from him. Further custodial detention is not required in the present case as nothing is to be recovered from the applicant/accused so no purpose would be served to keep the applicant behind the bars for the indefinite period. The applicant/accused undertakes to abide by the terms and conditions as imposed by this Court. Lastly, prayer has been made for acceptance of bail.

5. On the other hand, the learned APP for the State has opposed the bail application on the ground of gravity of offence. He further argued that the applicant/accused was nominated on the basis of disclosure statement of co-accused Sarabjit and Harpreet Singh under Section 29 NDPS Act. The report

of FSL has not been received and is not likely to be received soon enough. He lastly prayed for dismissal of the application.

6. I have heard the Learned Additional Public Prosecutor for State and the Learned Counsel for bail-applicant and have gone through the police record carefully.

7. Perusal of the file as well as the police record shows that in the matter in hand case of the prosecution is that on 16.3.2026, in the area of Bhatpur Jattan Link Road, Village Jassowal, Police Station Mahilpur, co-accused Sarabjit @ Sabhi was found in conscious possession of loose 70 intoxicant tablets and Harpreet Singh @ Raja was found in conscious possession of loose 32 intoxicant tablets. Finding the commission of offence u/s 22, 29 of NDPS Act, FIR was registered against accused Sarabjit @ Sabhi, Harpreet Singh @ Raja and Jimmi, disclosed by co-accused to be supplier.

8. Having traversed through the fundamental aspects relevant for the determination of the application at hand, the Court at this juncture is cognizant of judgment passed by Hon'ble the Punjab and Haryana High Court titled as **Inderjit Singh @ Laadi and others versus State of Punjab 2014(3) Recent Criminal Reports 953**. It has been held in paragraph number 54 that the Presiding Officer of Special Court dealing with the ND&PS Act cases, whenever need is felt and where the matter is being unnecessarily delayed, may grant interim bail till the receipt of the Chemical Examiner report and thereafter, may consider the case after the receipt of report.

9. As per record, the applicant/accused was not originally named in

the present FIR. However, his name came to light on the basis of disclosure statement of co-accused Sarabjit @ Sabhi and Harpreet Singh @ Raja wherein they disclosed that the applicant/accused is supplier/facilitator of intoxicant substance. But, as evident from the record nothing has been recovered from the bail-applicant. The bail-applicant was arrested on 16.3.2026 and is in custody since then. No useful purpose would be served by detaining the applicant/applicant in judicial custody for indefinite period. No recovery has been effected from the accused/applicant. Therefore, in view of the facts and circumstances discussed above and the principle that, “jail is an exception and bail is a rule” the regular bail application, filed by the bail applicant/accused, hereby stands allowed. The bail applicant **Jaskaran Singh** is ordered to be admitted to bail on his furnishing bail bonds in the sum of ₹80,000/- with one surety in the like amount to the satisfaction of Illaqa/Duty Magistrate, subject to conditions given below:-

- a. Accused shall come present on each and every date of hearing for appearance in the Court and for trial of the case.
- b. Accused shall not leave the jurisdiction of this Country without permission of the Court.
- c. Accused shall not commit any offence of like nature or any other offence punishable under law.
- d. Accused shall not try to influence the witnesses of the prosecution or tamper with the evidence.

e. Accused shall not change his/her appearance during the course of trial.

f. Accused shall not change her/his address without prior intimation to this Court.

g. Accused shall not induce, threat or promise any witness to refrain him/her from deposing in the case during the investigation or trial.

h. Accused shall make available himself/herself before I.O./Authority holding investigation to assist the investigating machinery as and when called upon to appear before the authority concerned till final investigation or as and when directed by the Court and accused will cooperate with the investigation even during his release on bail.

i. In case of default by the accused in complying with the conditions of bail enumerated above, her/his bail shall be canceled, her/his bail bond and surety bond are liable to be canceled and forfeited to the State and she/he shall be liable to be prosecuted under Section 446 of the Cr.P.C.

10. Accused is also directed to make compliance of the directions issued by the Hon'ble Supreme Court of India in the case titled **“Satender Kumar Antil Vs. CBI & Another” 2022 Live law (SC) 577** i.e. Special Leave Petition (Criminal) No.5191, decided on 11.07.2022.

11. Further, in compliance to the directions issued by the Hon'ble Supreme Court of India in Suo Moto Writ Petition(Criminal) **No.4/2021 titled in RE: POLICY STRATEGY FOR GRANT OF BAIL**, Ahlmad is directed to send the soft copy of this order to the Central Jail, where the accused is confined.

12. It is further made clear that the observations made herein-above by undersigned vide this order are strictly for the disposal of the application in hand and shall have no reflection on merits of the case. Police record be returned and bail application be attached with the remand papers/main file.

Pronounced in open Court:

Dated: 04.05.2026

Anil, Stenographer
(Direct Dictation)

(P.S. Kaleka), ASJ
Judge Special Court, Hoshiarpur
(UID No.PB-0253).

Present: Shri Shashi Kumar Advocate for bail-applicant.
Shri N.S. Gill, Ld. Addl. PP for the State.

Report of Ahlmad received and perused. Statement of ASI Resham Singh, No.1894/HPR, Police Station Mahilpur, District Hoshiarpur, is also recorded.

Arguments heard. Vide separate detailed order of the even date, the bail application in hand stands allowed, subject to the conditions mentioned therein. Police record be returned and bail application be consigned to record room.

Pronounced in open Court:
Dated: 04.05.2026
Anil, Stenographer

(P.S. Kaleka), ASJ
Judge Special Court, Hoshiarpur
(UID No.PB-0253).