

**In the court of Shri Hira Singh Gill
Judge Special Court, Jalandhar.
UID No (PB0153)**

B.A. No.1072/2020
Filing No.2619/2020
CNR No.PBJL01-003761-2020
Date of Filing:7.3.2020
Date of Order: 13.3.2020.

1. Major Singh aged about 26 years son of Anoop Singh
2. Sukhwinder Singh @ Mannu aged about 24 years son of Anoop Singh, both resident of Madarpur, Fatehgarh, Panjtoor, Moga, Punjab, India.

.....Accused/applicants

Versus

State of Punjab

FIR No.1 dated 1.1.2020
U/s 15 NDPS Act & Section
29 NDPS Act added later on.
P.S. Lohian, Jalandhar

[Second Application for Bail U/s 439 of Cr.P.C.]

Present: Ms. Deepakshi Sharma, Adv. Counsel for
accused/applicants.
Shri Manoj Kumar, Addl. PP for the State.

ORDER:

1. The instant bail application has been filed under section 439 CrPC, praying for grant of regular bail to the accused/applicants in case FIR No.1 dated 1.1.2020 under section 15/29 of NDPS Act, registered at police station Lohian, Jalandhar.

2. The case of the accused/applicants is that they have already been granted bail in the more serious offence under section

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15/61/85 of NDPS Act, but due to clerical mistake, offence under section 29 of NDPS Act is not mentioned in that bail application. It was prayed that accused/applicants may be granted bail.

3. While on the other hand, learned Addl.PP for the State contested the bail application by submitting that other co-accused are yet to be arrested. If the accused/applicants are released on bail, they have committed the similar nature of offence.

4. I have considered the rival submissions.

5. Vide order dated 24.2.2020, the accused/applicants were granted bail in the same FIR for the offence under section 15/61/85 NDPS Act, but offence under section 29 of NDPS Act could not be mentioned in that bail application. The offence under section 15/61/85 NDPS Act is more serious offence and in that offence, the accused/applicants have already been granted bail. The offence under section 29 of NDPS Act could not be mentioned due to the fact that said offence was added later on. In view of these factual circumstances, the accused/applicants are also directed to be released on bail for the offence under section 29 of NDPS Act along with the offence under section 15/61/85 of NDPS Act on furnishing bail bonds in the sum of ₹25,000/- with one surety of the like amount each, subject to the following conditions:

a) That they will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading him from disclosing the same to the court/ investigating agency; and

- b) That they will not leave the limits of India without prior permission of the court.
- c) That they will appear in the court on each and every date of hearing.

6. Nothing observed herein shall have any bearing upon the merits of the case and shall confine its affect only to the disposal of the present bail application. Bail application papers be attached with the remand papers.

**Pronounced in open court.
Dt 13.3.2020.**

**(Hira Singh Gill)
Judge Special Court
Jalandhar. UID No (PB0153)**

Sukhwinder Singh

CNR No.PBJL01-003761-2020

Present: Ms. Deepakshi Sharma, Adv. Counsel for
accused/applicants.
Shri Manoj Kumar, Addl. PP for the State.

Arguments heard. Vide my separate detailed order of even,
date, the bail application has been allowed as detailed therein. Bail
application papers be attached with the remand papers.

Pronounced in open court.
Dt.13.3.2020.

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Sukhwinder Singh

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