

**IN THE COURT OF SHRI BALWINDER KUMAR, SPECIAL JUDGE,
FATEHGARH SAHIB**

CIS No. BA-110-2022

Date of Institution : 01.02.2022

CNR No: PBFG01-000405-2022

Decided on: 8th February, 2022

Talwinder Singh aged 40 years son of Balkar Singh resident of village Mianpur (Maluana), P.S Mulepur, District Fatehgarh Sahib.

.....Applicant/Accused

Versus

State of Punjab.

FIR No.04 Dated: 10.01.2022.**Under Section: 22C/29/61/85 NDPS Act.****Police Station – Mulepur****Bail application u/s 439 Cr.P.C.**

Present: Shri A.S.Tiwana, Advocate for applicant/accused.
Mrs. Anju Narula Addl.PP for the State.

ORDER

1. Record received. Arguments heard. It is mentioned in the bail application that applicant/accused has been sent to judicial custody on 17.01.2022 and there is no legal evidence against him. It is further averred that there is only disclosure statement of co-accused Gurpreet Singh alias Bagga and besides this no other link with the recoveries nor with the place of alleged recovery, on the file to prove the case against applicant/accused. It is further averred that applicant/accused is registered pharmacist and holder of certificate

of registration No.44967 dated 02.06.2017 and is running a medical store under the name of Ghuman Medical Hall, bus stand Basantpura. It is further averred that even SI Major Singh Investigating Officer and ASI Jagroop Singh and Drug Inspector Patiala inspected medical shop of applicant/accused, but nothing was recovered from him. It is further averred that there is no other evidence against applicant/accused apart from the disclosure statement of co-accused Gurpreet Singh and applicant/accused was arrested in this case on 12.01.2022 after two days as per alleged disclosure statement. It is further averred that applicant/accused has been falsely implicated in the above noted false FIR by the police of Police Station Mulepur, whereas he is quite innocent and he has no concern or connection, whatsoever with the commission of any of alleged offence nor he has committed any such alleged offence. It is further averred that alleged FIR is and is nothing but quite is abuse and misuse of legal process. It is further averred that mandatory provisions of NDPS Act have not been cared to be observed while implicating applicant/accused in the above noted case and nothing is required to be recovered from him in this false case at this stage. It is further averred that applicant/accused undertakes to abide by the terms and conditions, if any, imposed by the Hon'ble court, if he may be released on bail.

2. Learned counsel for the applicant/accused while arguing in the

lines of aforesaid application contended that application may be allowed.

3. On the other hand, learned Addl. PP for the State contended that keeping in view the serious nature of allegations against accused/applicant, the bail application may be dismissed.

4. I have considered the rival submissions and after going through the record, it has transpired that instant case was registered when on 10.01.2022 accused Gurpreet Singh was apprehended and from him 420 intoxicant tablets make Tramadol Hydrochloride and 17 bottles of Codeine Syrup of 100 ml each were recovered and on his further interrogation, name of accused/applicant cropped up, who was alleged supplier of contraband.

The recovery effected in the present case, does not rule out the amount of same to be of commercial quantity and in that situation, keeping in view the seriousness of the matter, accused/applicant does not stand entitled to the concession of bail. As such, the bail application stands dismissed. Record be returned and file of this bail application be tagged with the main file.

**Pronounced in open court
8th February, 2022**

Jagjit Singh Batta EA/JW

*"I attest to the accuracy and
authenticity of this document."*

**(Balwinder Kumar)
Special Judge
Fatehgarh Sahib**
UID#PB0160

Balwinder Kumar, UID#PB0160
Special Judge, Fatehgarh Sahib.