

**IN THE COURT OF MANDIP SINGH DHILLON,
JUDGE, SPECIAL COURT, MANSA**

Case Type : BA (Bail Application)
CIS Case No. : BA/11/2023
CNR No. : PBMN010000332023
Date of registration : 03.01.2023
Date of Decision : 10.01.2023

State

Versus

Akashdeep Singh aged about 21 years, son of Gurtej Singh son of Jangir Singh, resident of Natt, P.S. Talwandi Sabo, District Bathinda, now confined at District Jail, Mansa.

... Applicant/ accused.

FIR No.159 dated 03.08.2022
U/s 22 and 27 of NDPS Act,
P.S. City Budhlada, District Mansa.

**(APPLICATION FOR BAIL UNDER
SECTION 439 CR.PC)**

Present: Shri Varinder Singla, Advocate, for the
applicant/accused.
Shri P.S. Chahal, Ld. Addl. PP for the State.

ORDER

1. Accused/ applicant Akashdeep Singh has filed the present bail application under section 439 Cr.PC in case FIR No.159 dated 03.08.2022, U/s 22 and 27 of NDPS Act, P.S. City Budhlada, District Mansa.

2. Accusation leading to the registration of the FIR above said, are that on 03.08.2022, SI Karam Singh received information from ASI Jaswinder Singh that he alongwith police party was going in connection with the patrolling. They had apprehended three persons near Birdh Asham, Budhlada on the suspicion that they might be carrying some narcotic substance. On receiving the information, SI Karam Singh alongwith police party reached at the spot and enquired from the apprehended persons who disclosed their names as Sukhpal Dass son of Goutam Dass resident of Bhagi Bander, Police Station, Talwandi Sabo, Amandeep Singh @ Amni son of Gurdeep Singh resident of Mahi Nangal, Police Station, Talwandi Sabo and Akashdeep Singh son of Gurtej Singh, resident of Natt, P.S. Talwandi Sabo. Recovery of 4000 tablets of Alprasaft 0.5 and 800 tablets of Tramadol SR 100 was effected from their possession. They were arrested in the present case.

3. It has been argued by learned defence counsel for the on behalf of the accused/ applicant that he is innocent and has been falsely implicated in the present case. He is in custody since 03.08.2022. On these averments besides usual grounds, the accused/applicant was asked to be released on bail.

4. The application has been opposed by the learned Addl. PP for the State.

5. I have heard the arguments of learned counsel for the applicant/accused, learned Addl. PP for the State and have gone through the police record with their able assistance.

6. As per the allegations of the prosecution, on 03.08.2022, the accused/ applicant Akashdeep Singh alongwith co-accused was found in possession of of 4000 tablets of Alprasafe 0.5 and 800 tablets of Tramatrust SR 100. Report of Chemical Examiner has been received. By going through the Report of Chemical Examiner, it reveals that one parcel containing 10 tablets of Alprasafe 0.5 on being analyzed by the Chemical Analyst, the ingredients of that parcel were found containing Alprazolam. The weight of each tablet was 121.43 mg and thus, the total weight of 4000 tablets comes to $4000 \times 121.43 \text{ mg} / 1000 = 485.72 \text{ gms}$ approximately of intoxicant substance containing Alprazolam. The salt "Alprazolam" is mentioned at serial No.178 of the table in NDPS Act.

Another parcel containing 10 tablets labelled as Tramatrust SR 100 on being analyzed by the Chemical Analyst, the ingredients of that parcel were found containing Tramadol Hydrochloride. The weight of each tablet was 380.31 mg and thus, the total weight of 800 tablets comes to $800 \times 380.31 \text{ mg} / 1000 = 304.24 \text{ grams}$ approximately of intoxicant substance containing

Tramadol Hydrochloride. The salt “Tramadol” is mentioned at serial No.237ZH of the table in NDPS Act.

The contraband recovered from the accused falls under commercial quantity as per provision of the NDPS Act. Challan has been presented in the Court and is pending for arguments on charge. The allegations against the applicant/accused are very serious in nature which needs no leniency at this stage. Making it clear that drug peddlers have successfully destroyed the social fabric of our society and led youth on the wrongful path. Such type of persons are required to be dealt with firmly and sternly. Sympathy could not be shown to them lest it proved to be counterproductive and resulted in an increase in drug trafficking. With deep concern, it is pointed out that the organized activities of the underworld led to drug addiction among a sizeable section of the public, particularly the adolescents and students of both sexes and the menace has assumed serious and alarming proportions in the recent years. Therefore, in order to effectively control and eradicate this proliferating and booming devastating menace, causing deleterious effects and deadly impact on the society as a whole. This court finds no justification to grant interim/regular bail to the applicant/ accused. Hence, without commenting upon the merits of the case, the bail application under reference filed by the applicant/ accused Akashdeep Singh is dismissed. Police

record be returned and the papers of this bail application be tagged with main file.

Pronounced

Dated: 10.01.2023

**(Mandip Singh Dhillon),
Judge, Special Court, Mansa.
(UID: PB0115)**

**Avinash
Stenographer G-I**

Present: Shri Varinder Singla, Advocate, for the
applicant/accused.
Shri P.S. Chahal, Ld. Addl. PP for the State.

Arguments heard. Vide my separate detailed order of
even date, the bail application moved by the accused/ applicant
for bail has been dismissed. Police record be returned and the
papers of this bail application be tagged with main file.

Pronounced

Dated: 10.01.2023

**(Mandip Singh Dhillon),
Judge, Special Court, Mansa.
(UID: PB0115)**

Avinash
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