

PBGDA10082802025



Presented on : 20-12-2025
Registered on : 20-12-2025
Decided on : 24-12-2025
Duration : 0 years, 0 months, 4 days

**IN THE COURT OF
Judicial Magistrate - Ist Class
AT Batala, Gurdaspur
(Presided Over by Sh. Gagandeep Singh)**

BA/1026/2025

FIR No. 126 dated 06.12.2025
Under-Section 21-29-61-85 of NDPS Act
P.S:- Qila Lal Singh

Present:- Sh. Paramjit Kumar, Advocate for applicants/accused Sucha Singh
Sh. Ravinder Singh, Learned APP for the State.

Arguments heard on the application under-section 480 of Bhartiya Nagrik Suraksha Sanhita, 2023 moved on behalf of accused/applicant Sucha Singh. wherein it was pleaded that accused/applicants are innocent and has been falsely implicated in the present case. He is in judicial lock-up since 20.12.2025. It is further submitted that nothing has been recovered from the accused/applicants. As such, learned counsel for accused/applicants has prayed for release of accused/applicant on bail. .

Notice being served, learned APP for the State, has opposed the bail application on the ground that both accused have committed serious offence. As such, prayer for dismissal of the present bail application has been made.

I have heard the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made and gone through the

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police record.

Police record perused. The statement of IO/ ASI Narinder Singh No. 3411/BTL, P.S Qilla Lal Singh Batala has also got recorded, wherein he stated that there is ten other FIR is pending against the accused Sucha Singh and he is in judicial custody from 20.12.2025. Perusal of the file reveals that accused is involved in the present FIR for the commission of offence punishable under- Section 21-29-61-85 of NDPS Act and he is in custody in this case since 20.12.2025. The present FIR was registered on the basis of secret information received by the police party that accused Vinod Singh and Surjit Singh were arrested and recovery of 05 gram heroin was recovered and present accused was nominated in the present FIR. The presentation of challan and conclusion of trial will take its own time. Criminality of accused, if any, is a matter of trial. It is cardinal principle of criminal jurisprudence that accused are presumed to be innocent, until proved guilty. Moreover, it is the rule of criminal law that there should be bail not jail. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused Sucha Singh ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount or FDR to amount of Rs. 30,000/- as well as subject to following conditions:-

- (i) That accused/applicant shall not indulge in any activity similar to the activities on the basis of which aforesaid criminal case registered against him.
- (ii). That accused/applicant shall not undertake any action which is prejudicial to proceedings during the course of trial.
- (iii) That accused/applicant shall attend all the dates during the trial, unless prevented by any reasonable cause.

- (iv) That accused/applicant neither personally nor through anyone make any attempt to influence the witnesses or tamper with the evidence.
- (v) That accused/applicant shall not leave India without the prior permission of the Court.
- (vi) It is clear that in case, there is any recurrence/repetition on the part of the applicant involving him similar nature of offence or any offence of criminal nature, which have potential of disrupting peace in the society or to the well being of fellow citizens then the state would be at liberty to move an application for recalling/cancelling this order granting bail.
- (vii) The grant of bail is further conditioned upon accused/applicant's diligent participation in the trial. This includes, but is not limited to, the timely cross-examination of witnesses and adherence to the Court's schedule. Failure to comply with these conditions, including any deliberate delay in proceedings may result in the cancellation of bail and the accused/applicant may be sent to judicial custody, till the conclusion of trial in that eventuality and Ld. Court will be at liberty to cancel the bail and to forfeit bail bonds/surety bonds, if there is violation of this condition.

Bail bonds and surety bonds not furnished. Papers be attached with the remand papers. .

Date of Order : 24.12.2025.
Sukhdev Singh, Steno-II

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