

**In the court of Sh. Vishesh,
Judge Special Court, Fazilka.
(UID No. PB-0228)**

	B.A. No.1382/2022. CNR No. PBFZC0-0032162022. Date of Order:-22.07.2022.
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Sukhwinder Singh @ Sukha aged 28 years son of Gurmel Singh resident of Panjpir Tibba Backside Dargah Panjpir Abohar P.S. City-1 Abohar Tehsil Abohar District Fazilka.

.....Applicant-accused.

Versus.

State of Punjab.

.....Respondent.

FIR No.123 dated 04.06.2022.
U/s 21 of NDPS Act.
Police Station City-1 Abohar.

[Bail application U/s 439 of Cr.P.C.]

Present: Sh. R.S.Thind, Adv., counsel for applicant.
Sh. Amit Goklaney, Addl. PP for the State.

ORDER:

Present order of mine shall dispose off bail application filed by applicant-Sukhwinder Singh @ Sukha.

2. Brief facts of the bail application are that applicant was falsely implicated in this case. It has been stated that alleged recovery was not effected from the applicant and he is in custody since 04.06.2022. Hence, it is prayed that applicant be admitted to bail.

3. Upon notice, learned Addl.PP for State appeared and contested the bail application.

4. I have heard learned counsel for applicant, learned Addl.PP for State and have gone through the records of the case file carefully.

5. The present FIR was registered at the instance of ASI Om Parkash on the allegations that on 04.06.2022 he alongwith other police officials was present in the area of Abohar-Malout Road, opposite Gandhi Petrol Pump, that there he received a secret information that Dinesh Kumar and Sukhwinder Singh were habitual of purchasing Heroin from the nearby areas and thereafter they sell the same in the vicinity at higher rates. It was further informed that on the same day, they were coming on motor cycle make HF delux bearing No.PB22-Q-0522 from Arniwala and were going towards hamlet Karaka Singh. It was further reposed that if naka is laid at Pakka Seed Farm Kacha link road, they could be apprehended. Finding the information to be trustworthy, Ruqa was prepared, on the basis of which, present FIR was registered. Thereafter, naka was laid and after some time, applicant was arrested alongwith Dinesh Kumar and from their possession 15 gram of Heroin has been recovered. The same falls within the ambit of non commercial quantity. Perusal of record shows that applicant is in custody since the day of his arrest i.e., 04.06.2022. Presentation of challan and conclusion of trial is likely to take long time. No useful purpose would be served by detaining the accused further in custody, as the same will be burden on state exchequer. In these circumstances, the present bail application is allowed and applicant is ordered to be released on bail on his furnishing bail bond in the sum of Rs.30,000/- with one surety of like amount on the following conditions:-

(a) that he 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 them from disclosing the same to the court/investigating agency;

(b) that he will not leave the limits of this country without prior permission of the court.

Bail application file be attached with the main file/papers.

Pronounced in open court.

Dt.22.07.2022.

'Vinay '

(Vishesh)

Judge, Special Court,

Fazilka. *UID No: PB0228*