

**IN THE COURT OF MS SMRITI DHIR
JUDGE SPECIAL COURT SANGRUR
(UID NO.0518).**

Registration no.2158 of 23.07.2019

CNR No. PBSG01-006879-2019

Decided on 25.07.2019.

State

Versus.

Balbir Kaur aged about 58 years wife of late Bhola Singh son of Bachan Singh, Police Station Sadar Dhuri (now confined at District Jail Sangrur).

.....Accused/Applicant.

FIR No.171 dated 26.06.2019.

Under Section 22/61/85 of ND&PS Act.

P.S.Sadar Dhuri.

Bail application U/s 439 Cr.P.C.

Present: Sh. Davinder Sharda Advocate, counsel for applicant/accused.
Sh. Hussan Bansal, Addl.PP for the State.

ORDER :

1. This order of mine will dispose off regular bail application. filed by applicant Balbir Kaur, in FIR No.171 dated 26.06.2019, under Section 22/61/85 of ND&PS Act, P.S.Sadar Dhuri.
2. Notice of the application was issued to the State through Addl.

Smriti Dhir
JSC,Sgr. 25.07.2019.

PP for the State and record was requisitioned.

3. The counsel for the applicant has submitted that present applicant has been falsely implicated and she is in custody since 26.06.2019. Challan has yet not been presented and conclusion of investigation and presentation of challan will take considerable long time. No useful purpose would be solved by keeping the applicant under incarceration. On the said grounds, prayer was made for allowing of the bail application.

4. Ld. Addl. PP for the State has contested the bail application on the ground that 300 tablets of Lomotil and 100 Tramadol tablets were recovered from the exclusive conscious possession of the present accused and she is habitual offender and there are three cases under NDPS Act and two cases under Excise Act are pending against the present applicant. On the said ground, prayer was made for dismissal of the bail application.

5. As per the prosecution version FIR was registered on the basis of the secret information. As per secret information Balbir Kaur is indulged in selling of intoxicant tablets and on the date of occurrence, she is going to the area of Electric Grid towards Sumandgarh Chhana and if the picket be laid near Electric Grid of village Bhari road then she can be apprehended with heavy quantity of contraband. Finding the information to be credible, FIR was registered.

6. From the perusal of the record it transpires that 300 Lomotil tablets and 100 Tramadol tablets were recovered from the conscious

possession of the present applicant. As per Ld. Addl.PP for the State five cases are pending against the present accused, out of which three are under NDPS Act and two are under Excise Act. It seems that the present applicant is incorrigible defaulter. The matter is pending investigation and the version of the prosecution cannot be outrightly rejected at this stage. So far the plea of defence is concerned, it is too early to jump to any conclusion. There is tendency and frequency of selling of Narcotic drugs in order to earn easy money and this tendency is increasing day by day and this malady of drugs is spoiling the basic fabric of the society which needs to be curbed with heavy hands. Seeing nature and gravity of offence, the application stands declined. Papers be tagged with the main file.

Pronounced in open Court on 25.07.2019.

Kulwant Singh Stenographer-1.

Smriti Dhir
Judge Special Court
Sangrur (UIDNo. PB0518)

