

**IN THE COURT OF SH.
SANDEEP SINGH JOSSAN (PB0150)
ADDITIONAL SESSIONS JUDGE, HOSHIARPUR.**

BA No. 2342/2022
CNR No.PBHO010068332022
Decided on: 01.10.2022

Balbir Kaur @ Biro aged 59 years, w/o Gurdev Singh, r/o ward No.11,
Langeri Road, P.S. Mahilpur, District Hoshiarpur.

Versus

... Accused/applicant.

State of Punjab.

... Respondent.

FIR No. 183 dated 17.9.2022, U/s 22 NDPS Act, P.S. Mahilpur, Distt. Hoshiarpur
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Bail application U/s 438 Cr.P.C.

Present: Sh.JBS Gill, cl for the applicant.
Addl. PP for the State.

ORDER

1. This order disposes off bail application of accused described in detail herein above.
2. Accusations leading to the registration of this FIR is that police party having laptop etc was present at Baghera Road, Mahilpur when secret information was received that Balbir Kaur @ Biro used to sell intoxicants and against her earlier FIRs have also been registered and on that day also she is selling intoxicants to the customers, after keeping heavy quantity of intoxicants, after taking gold items, money etc and that if a raid conducted then she can be apprehended. On believing the

information Ruqa was sent. Thereafter, raid was conducted at the house of accused Balbir Kaur @ Biro. At the time of raid Balbir Kaur @ Biro was sitting in the cot in the courtyard of her house, but on seeing the police she fled the spot and while going threw away transparent polythene envelope. On checking the polythene envelope 25 gram narcotic drug was recovered. Further, on the search of beddings Rs.32,230/- were recovered.

3. It is urged on behalf of the accused/ applicant that on 17.9.22, police got secret information that Balbir Kaur @ Biro is selling intoxicant powder and as such Ruqa was scribed and police came to raid the house of accused/ applicant, who was not present there and it has learnt that the police has allegedly recovered 25 gram intoxicant powder from the house of accused/ applicant along-with some gold items, mobile phone and money. That, accused/ applicant is innocent and has been falsely implicated. As such, she has reasonable apprehension of being arrested at any moment. That, accused/ applicant is an old lady and got her cataract surgery of right eye on 12.9.22 and still not well. Moreover, she is under treatment and taking medicine.

4. Application has been opposed by the State. The ld. Addl PP argued that the offence relating to Narcotic Drugs or Psychotropic Substances is more heinous than a culpable homicide because the latter affects only an individual while the former affects and leaves its deleterious impact on the society. The aim of Criminal Law should be to protect the society and to deter the criminal who are in this sphere.

5. After hearing the learned counsel for the parties and going through the records of the case, it came out that accused committed a

serious offence, as Rs.32,230/- drug money and 25 gram intoxicant was recovered from the accused. So keeping in view the material facts of the case, nature of crime, gravity of offence and the manner in which it is alleged to have been committed, I find that extra ordinary relief of anticipatory bail is not to be extended in such like cases and it would not only hamper the investigations but would also send a wrong signal to the society. Resultantly, application is found to be without merit and is dismissed.

Before parting with this order, let it be clear that all said and observed herein before is only for the purpose of deciding the application in hand shall not have any effect upon the merits or ultimate out come of the case.

File to be consigned to the record room.

Pronounced. Dated: 01.10.2022	Sandeep Singh Jossan PB0150 Additional Sessions Judge, Hoshiarpur.
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*typed by Mukesh Chander
Stenographer Gr-1*