

**IN THE COURT OF POONAM BANSAL,
JUDGE, SPECIAL COURT, GURDASPUR**

CIS No: BA 2348-2026
CNR No: PBGD01-005689-2026
Date of Decision: 13.05.2026

Aman Vs. State of Punjab

FIR No.177 Dated 02.07.2025

Under Sections 21(c),27 (a), 61,85 of NDPS Act and
section 29 of NDPS Act added later on

Police Station :Dinanagar

Bail application under Section 483 BNSS

Present: Sh. H.S.Lakhanpal Advocate, counsel for
applicant
Shri Vikram Kashyap, Ld. Additional P. P for State

ORDER

1. This order of mine shall dispose of an application having been filed by applicant-accused **Aman** seeking bail in view of provisions of Section 483 of BNSS in above noted FIR.
2. Notice of the application was issued to the State and the police record has been requisitioned.
3. Learned counsel for the applicant has argued that applicant is innocent and he has been falsely implicated in the present case. The applicant/accused has not committed any offence and the present FIR has been falsely registered against the applicant/accused. Even the name of the applicant/accused is not figured in the FIR but he has been nominated in the present FIR on the basis of alleged disclosure statement of his co

accused which is not admissible in the eyes of law. Nothing was recovered from applicant/accused. The alleged contraband is marginally higher than non commercial quantity. The provisions of Section 37 of NDPS Act are not attracted. Applicant/accused is in custody since 10.07.2025. The alleged recovery has already been effected. Challan has already been presented. Trial of the case will take sufficient time and no useful purpose will be served by keeping accused under custody. Accordingly, he has prayed for grant of bail to the applicant.

4. Per contra learned Additional PP for the State opposed the bail application and prayed for its dismissal.

5. Rival contentions of both the sides have been heard and the record has been perused with due care and circumspection.

6. Perusal of record reveals that on 01.07.2025 police party had spotted one Car No. DL2CAA2924 alto coming from the side of Amritsar and two Hindu gentlemen were sitting on the front seat of the aforesaid car and two ladies namely **Zello** and **Razia** were sitting at the back seat of the car. When the search was made, the driver of the car disclosed his name as **Zakar** and the person who was sitting on the front seat revealed his name as Saddam Hussain alias Sunny. Thereafter the search of the car was conducted by the Investigating Officer and from the side of the driver of the car, one brown colour bag containing **260 grams of heroin and Rs.1000/- as drug money** was recovered from the aforesaid bag. All the accused were

arrested.

During investigation, co-accused of applicant/accused namely Jakar, Rajia, Jeele suffered disclosure statements and on the basis of their disclosure statements, applicant/accused was nominated in the present FIR vide rapat No.41 dated 03.07.2025. Applicant/accused was already lodged in Jail in case FIR NO.09/2025 registered under Section 21/29/61/85 NDPS Act, P.S. Shri Harghobindpur. He was arrested in this case by issuing his production warrants.

The recovered material was taken into police custody. The said recovery of **260 grams** of Heroin falls within the ambit of commercial quantity. So, keeping in mind the commercial nature of the quantity and also the aspect that the menace of drugs is even otherwise eating into the vital of society and it has to be dealt with stern hands. **Mere length of custody is no ground to grant bail to the applicant/accused.** Hence, considering the seriousness and gravity of the allegations, no ground is made out to grant concession of bail to the applicant. Accordingly, the present bail application filed by the applicant stands dismissed. Record of present bail application be attached with the main challan already pending in this court.

Pronounced
Dated:-13.05.2026.
Prem Kumar, Stenographer-I

(Poonam Bansal)
Judge, Special Court,
Gurdaspur (UID No. PB00190)

