

CNR No:PBAS010044142026 **CASE No:BA-1816-2026**

Bhagwan Singh @ Gulu Vs. State of Punjab

Present: Sh. Rajeev Joshi, Advocate, counsel for the
the accused/ applicant, namely Bhagwan Singh @ Gulu
Ms. Seema Sandhu, Additional P.P. for the State.

ORDER.

Heard on the present application for default bail under Section 187(3) of BNSS, 2023 & 167(2) of Cr.P.C. read with Section 36-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, moved by accused **Bhagwan Singh @ Gulu s/o Tarsem Singh**, in the case bearing FIR No. 138 dated 30.06.2025, under Section 21C/25/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, P.S. Jandiala Guru, Amritsar.

2. As per the report of Ahlmad, the accused/ applicant was arrested in this case on 30.06.2025 and he was produced in the Court on 01.07.2025 and after police remand of two days, he was sent to judicial custody on 03.07.2025 and since then, he has been in judicial custody and today is **237th day** of his custody and till date, challan has not been presented in the Court. He has further reported that an application for extension of time to conclude the investigation was allowed on 03.01.2026, granting further period of 7 days, but the challan has not been presented even after extended time of 7 days has elapsed. He has further reported that there is no application received or pending for further

extension of time under Section 36-A(4) of the NDPS Act.

3. Counsel for the applicant has contended that the statutory period of 180 days, as prescribed under Section 36-A(4) NDPS Act, for completion of investigation alongwith extended period of seven days has expired, but the challan has not been presented, hence, the accused/ applicant has acquired an indefeasible right to default bail.

4. On the other hand, the Additional P.P. for the State has got nothing to say in reply to the contentions raised by counsel for the accused/ applicant.

5. Once, as reported by the Additional Ahlmad, the statutory period expires and there is no application received or pending for further extension of time under Section 36-A(4) of the NDPS Act and the accused applies for bail, expressing his readiness to furnish bail bonds, the right to default bail under Section 187(3) BNSS, 2023 becomes absolute and indefeasible, notwithstanding the seriousness of the allegations.

6 In view thereof, the present application for default bail filed on behalf of accused **Bhagwan Singh @ Gulu** under Section 187(3) BNSS, 2023 read with Section 36-A of the NDPS Act is allowed and he is ordered to be released on default bail, subject to his furnishing personal bond and surety bond in the sum of ₹1,00,000/- each, subject to the following conditions:

1. The applicant shall appear before the Trial Court on each and every date of hearing.

2. The applicant shall not tamper with prosecution evidence or influence any witness.
3. The applicant shall not commit an offence similar to the one alleged.
4. The applicant shall abide by any other condition imposed by the Trial Court.

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

Pronounced in open Court.
Dated : 23.02.2026

(Sanjeev Kundi)
Judge, Special Court,
Amritsar (UID No.PB0246)

Naresh Kumar, (Stenographer Gr.-I)*