

In the Court of Sardar Harjeet Singh,
Judge, Special Court,
Amritsar.

(Unique Identification No. PB0131)

Case Type	BA	
Filing No.	3559/2021	Date: 8.4.2021.
Registration No.	1903/2021	Date of Registration 8.4.2021.
CNR No.	PBAS01-004678-2021	
Date of Order	16.04.2021	

State of Punjab.

Versus

Amandeep Singh @ Aman son of Parkash Singh r/o Bopa Rai Kalan,
AmritsarApplicant/accused.

FIR No. 54/2021.
Under Section 21.22.61.85 of NDPS Act.
Police Station: Gharinda, Amritsar.

Bail Application under Section 439 of Cr.P.C.

Present: Shri R.S.Gill, Counsel for the applicant-accused.
Shri N.K. Gupta, Addl. PP for the State.

ORDER

Vide this order, I intend to dispose of bail application under Section 439 Cr.P.C. filed by applicant-accused Amandeep Singh @ Aman in the FIR mentioned above.

Police record received and perused.

Learned Counsel for the applicant-accused argued that alleged

recovery has already been effected. He argued that nothing was recovered from accused. Moreover, he is in custody since 27.3.2021. He argued that presentation of challan and conclusion of trial will take sufficient time. He prayed that bail application be allowed.

On the other hand, learned Addl. PP for the State opposed the bail application and argued that 30 grams of heroin was recovered from the accused, so he is not entitled to bail and prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant-accused and learned Addl. PP for the State.

As per allegations on 27.3.2021, SI Tarsem Singh alongwith other police officials was going from Police Station Gharinda towards village Lahori Mal, Hoshiar Nagar, Chicha etc. in connection with patrolling and search of bad elements duty. When they reached just ahead of Lahori Mal they saw a clean shaven person coming from village Hoshiar Nagar who on seeing the police party became perplexed. He tried to throw plastic envelope. He was apprehended. From the checking of envelope 30 grams heroin was recovered. Since the alleged recovery effected from the accused does not fall in the commercial quantity. Rather, the same is intermediate

quantity. Presentation of challan and conclusion trial would take long time. No useful purpose will be served by detaining the accused behind the bars, rather the same will be a burden on State exchequer. So, in these circumstances, without much commenting upon merits of the case, bail application is allowed and applicant-accused Amandeep Singh alias Aman is ordered to be released on bail on furnishing personal bonds in the sum of Rs. 50,000/- with one surety each in the like amount with following conditions:-

- (i) that applicant will not leave the country without prior permission of the Court;
- (ii) that he will appear in each and every date of hearing;
- (iii) that he will not tamper with the prosecution evidence or will not threat any prosecution witness.
- (iv) In addition to the above referred directions, in view of the outbreak of Corona Virus (COVID-19), the applicant is also directed to maintain social distancing and to obey the guidelines issued in this regard by the competent authorities during continuance of such outbreak.

Record of bail application be attached with the remand papers.

Dated: 16.04.2021

(Anil)

(Harjeet Singh),
Judge, Special Court,
Amritsar.
(Unique Identification No. PB0131)