

IN THE COURT OF MRS. PAMELPREET GREWAL KAHAL
JUDGE, SPECIAL COURT FAZILKA

BA-1901-2025

CNR No. PBFZC000-4724-2025

Date of Institution: 17.07.2025

Date of Decision: 12.08.2025

Sukhjinder Singh @ Sukha aged about 23 years son of Gurmej singh son of
Chiman Singh r/o Village Kabul Shah Khuban, Teh and District Fazilka.

.....Applicant

Versus

State of Punjab

.....Respondent

FIR No.86 dated 23.06.2025

Under Sections:-21/27/61/85 NDPS Act.

P.S. Khui Khera.

Bail application Under Section 482 BNSS of 2023.

Present: Sh. Karan Maini, Advocate for Applicant/Accused
Ms. Shaminder Jeet Kaur, Ld. Additional PP for the state.

ORDER:

This order of mine shall dispose of the anticipatory bail application
of accused-applicant **Sukhjinder Singh @ Sukha**.

2. In brief, the allegations against the accused/applicant are that
accused was apprehended with burnt silver foil containing melted Heroin and

lighter and Rs. 10 roll which was half burnt. In consequence thereof the proceedings u/s 64A of NDPS Act were initiated against the accused whereby the accused had suffered a statement that he is ready to take treatment at De-addiction Centre and complete the same. Accordingly, Ld. JMIC, Fazilka vide order dated 24.06.2025 had directed the accused to be sent to De-addiction Centre to undergo complete medical treatment. It was specifically mentioned that the immunity from prosecution will be withdrawn if the accused does not undergo the complete treatment for De-addiction. It is further the case of prosecution that the accused did not complete the said De-addiction programme as per the verbal intimation received from the De-addiction Centre to the police station. Fearing apprehension the accused has filed the present application for anticipatory bail.

3. Upon notice the police record was perused. The FSL report has not been received. Statement of ASI Malkeet Singh recorded. Report of Ahlmad seen that this is the first bail application of applicant/accused.

4. I have heard the submissions of the Ld. Counsel for accused and the Ld. APP for the state.

5. Ld. APP for the state has argued that accused has committed serious offence and melted Heroine has been recovered from the applicant-accused due to which benefit of bail should not be granted. On the other other hand Ld. Counsel for accused has argued that the accused has been falsely implicated. He is ready to join investigation. Nothing is to be recovered. With these submissions prayer for bail was made.

6. In the case at hand, the perusal of the record shows that the accused

was already granted the benefit of Section 64 A of NDPS Act but he has violated the same by failing to complete the treatment at the De-addiction Centre. Hence, the accused has clearly violated the order of the Court also. As such, the accused does not deserve any concession of bail. Moreover, concession of anticipatory bail under Section 482 of BNSS is of extraordinary character and same is to be exercised sparingly in exceptional circumstances, but accused/applicant has failed to make out such a case for grant of anticipatory bail in his favour. As such, accused/applicant does not deserve any concession of anticipatory bail. Consequently, present anticipatory bail application moved by accused/applicant **Sukhjinder Singh @ Sukha** is hereby dismissed.

7. Papers of bail application be attached with the remand papers if any else be consigned to the record room.

Pronounced in Open Court.

Date : 12.08.2025.

**PAMELPREET GREWAL KAHAL
JUDGE SPECIAL COURT
FAZILKA (UID no.PB0304)**

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Present: Sh. Karan Maini, Advocate for Applicant/Accused.
Ms. Shaminder Jeet Kaur, Ld. Additional PP for the state.

Record of Trial Court received. Report of Ahlmad seen. Record produced and perused. Arguments on bail application heard. Vide my separate detailed order of even date, instant bail application has been dismissed. Record of Trial Court be sent back. Papers of bail application be attached with the remand papers if any else be consigned to the record room.

Pronounced in Open Court.
Date : 12.08.2025.

PAMELPREET GREWAL KAHAL
JUDGE SPECIAL COURT
FAZILKA (UID no.PB0304)

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