

**IN THE COURT OF RAMAN GOKLANEY, JUDGE SPECIAL COURT,
GURDASPUR**

CIS No: BA-1912-2026

CNR No: PBGD01-004541-2026

Date of Order: 18.04.2026

Gurwinder Singh @ Ginder son of Gurmej Singh, resident of Village Khokhowal, P.S. Ghuman, Tehsil Batala, District Gurdaspur.

..... Applicant/accused

Versus

State of Punjab

.....Respondent.

First application for bail u/s 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail.

FIR No. 23 dated 17.02.2026

Under Sections: 21/29 of NDPS Act

Police Station: Ghuman

Present : Sh. G.S. Boparai, Advocate for applicant/accused.
Sh. Inderjot Singh, Addl. Public Prosecutor for State.

ORDER:

1. This order would dispose of the first bail application filed under the provisions of Section 483 BNSS, 2023 for regular bail, in connection with FIR No. 23 dated 17.02.2026, under Section(s) 21 of NDPS Act {Section 29 of NDPS Act added later on}, registered at Police Station Ghuman, Police District Batala, District Gurdaspur.
2. The facts in brief necessary for disposal/consideration of the present bail application are that on 17.02.2026, the police party headed by ASI Parminder Singh was patrolling in the jurisdiction of Police Station Ghuman, Police District Batala, District Gurdaspur. When the police party reached in the area of turn dirt road Rangar Nagal, then a young man, later

identified as Gurwinder Singh @ Ginder was noticed by the police party in suspicious movement. The said young man was apprehended by the police party. It is the case of the investigator that after following due procedure of search and seizure, 06 grams heroin was recovered from his possession. After registration of FIR, investigation ensued, accused namely Dilbagh Singh @ Baaga was nominated on the basis of disclosure statement of apprehended accused vide Rapat No. 20 dated 17.02.2026. The subsequent nominated present accused/applicant namely Dilbagh Singh @ Baaga was arrested on 05.03.2026. No incriminating material recovered from his possession or on his instance.

3. Sh. G.S. Boparai, Advocate, counsel for the accused/applicant and Sh. Inderjot Singh, learned Addl.P.P assisted by ASI Lakhwinder Singh on behalf of the State heard. Record perused. Ld. Addl. Public Prosecutor submitted that accused/applicant is involved in one other case under NDPS Act. Per contra, Sh. G.S. Boparai, Advocate, appearing on behalf of accused/applicant submitted that accused/applicant is not a prior convict.
4. After hearing the rival contentions of the parties and from perusal of record, it emerges out that the quantity of contraband 06 grams heroin involved in the present case is intermediate quantity. As such the rigor of Section 37 of NDPS Act does not apply and the parameters for grant of bail under the regular statute are applicable. The accused/applicant has been in custody since 17.02.2026. The completion of investigation and conclusion of trial would take considerable time.

5. In view of the foregoing discussion, the bail application is hereby allowed. The accused/applicant is granted bail upon furnishing bail bonds/surety bonds in the sum of Rs. 50,000/- with one surety of the like amount. In case, the accused/applicant unable to provide immovable property as security of the surety, the bail bonds/surety bonds may alternatively be furnished in the form of auto renewal Fixed Deposit Receipts (FDR) amounting to Rs. 20,000/- (Twenty Thousand) in the name of the surety from a nationalized or scheduled bank, with the original FDR to be deposited with the Court. Appropriate communication shall be made to the concerned revenue authority or bank to record the furnishing of bail bonds/surety bonds by the surety in their official records.
6. It is directed that the bail bonds/surety bonds shall be submitted before the concerned learned Illaqa Magistrate/Duty Magistrate. Upon satisfaction and attestation of the bonds/sureties, the learned Judicial Magistrate shall issue the necessary release warrants to the concerned Jail Superintendent. Thereafter, the attested bail bonds/surety bonds along with the pertinent documents shall be forwarded to this Court along with copy of communication made to the concerned revenue authority or bank (as the case may be).

Conditions:

- i. The affidavit filed by the surety shall include his full current address along with mobile and WhatsApp contact numbers and an undertaking to immediately intimate the trial court in case of any change of address or phone number/mobile number. Furthermore, the surety shall expressly undertake in the affidavit not to withdraw, break, or prematurely encash the Fixed Deposit Receipt (in case surety bonds backed by FDR) until the final disposal of the case. It

shall also be stipulated that the FDR shall be maintained as an auto-renewal fixed deposit throughout the pendency of the case and the surety shall produce evidence of such auto-renewal before the Court as and when required. If the surety provides immovable property as security, the affidavit must contain an undertaking that he shall not dispose, transfer, or create any further charge or encumbrance on the said property during the pendency of the case without prior permission of the trial court.

Following conditions shall applied to the accused/applicant:

- ii. The accused/applicant shall abstain from any activity constituting an offence under the Narcotic Drugs and Psychotropic Substances Act (NDPS Act).
 - iii. The accused/applicant shall refrain from any acts prejudicial to the trial proceedings.
 - iv. The accused/applicant shall attend all trial dates without fail, except when prevented by reasonable cause with due intimation to the trial court.
 - v. The accused/applicant shall not, directly or indirectly, attempt to influence witnesses or tamper with evidence.
 - vi. The accused/applicant shall not leave the country without the prior permission of this Court.
 - vii. The grant of bail is conditional upon the accused/applicant's diligent participation in the trial, including timely cross-examination of witnesses and strict adherence to the Court's schedule; any deliberate delay or obstruction may lead to cancellation of bail and accused in that scenario would be remanded to judicial custody.
7. It is clarified that the observations made herein above shall not be construed as an expression on the merits of the main case. The bail application file shall be tagged with the main case file.
8. A copy of this order shall be transmitted forthwith to the concerned learned Illaqa Magistrate. It is further observed that the learned Illaqa

Magistrate/Duty Magistrate may consider the copy of this order as uploaded on the CIS/Official E-courts website as a genuine copy and shall not insist upon a certified copy for the purpose of furnishing bail/surety bonds.

Date of Order: 18.04.2026

Gurpreet Singh, Stenographer-II

(Raman Goklaney)
Judge Special Court,
Gurdaspur
UID No . PB0687