

**In the Court of Rashmi Kapila,
Judge, Special Court, Kapurthala.
(UID No.PB00201)**

CNR No. PBKP010045762025**Case No. BA/1912/2025****Presented on : 05-08-2025****Registered on : 05-08-2025****Decided on : 11-08-2025**

Harjinder Singh @ Nanna, aged about 38 years son of Jasspal Singh, resident of Jagjit Nagar, village Hamira, PS Subhanpur, District Kapurthala.

....Accused/applicant

Versus

State of Punjab

...Respondent

FIR No.92 dated 07.08.2018
Under sections 22/29/61/85 NDPS Act.
PS Subhanpur, Kapurthala.

Bail application under Section 483 of BNSS, 2023.

Present: Sh.BJS Bajwa, Advocate, for applicant/accused.
Ms. Meetu Sheanhmar, Ld.Addl. P.P. for respondent/State.

ORDER:-

1. The indulgence of the Court has been craved for by the applicant-accused Harjinder Singh @ Nanna by seeking regular bail under section 483 BNSS in the aforesaid FIR, on the averments that applicant/accused absented from the trial court due to unavoidable circumstances. Accused/applicant was declared proclaimed person by Ld. JMIC, Kapurthala, on 24.02.2025. There is no direct or indirect evidence

against the applicant/accused to connect him with the commission of alleged crime. As the applicant/accused is ready to abide by all the terms and conditions imposed upon him by the Court, if he be released on regular bail and his bail application be allowed.

2. Notice of the bail application was issued to the respondent State and learned Additional Public Prosecutor for the State has contested the bail application on the ground that the accused has misused the concession of bail already granted to him and prayed for dismissal of the bail application. Main file has been received.

3. The Court has given the thoughtful consideration to the rival contentions of both the parties and minutely perused the case file.

4. Record perused. The allegations of the prosecution are that on 07.08.2018, accused/applicant Harjinder Singh alongwith co-accused Malkiat Singh were found together and from the possession of accused/applicant, 25 loose tablets having salt Alprazolam (3.65) was recovered. Further, perusal of the file reveals that applicant/applicant was arrested on 13.07.2025 and since then he is lying in judicial custody. By this time, accused/applicant must have learnt a lesson for misusing the concession of bail in the present case. Final report under Section 173 Cr.P.C. had already been presented against accused/applicant before learned lower court. Moreover, charge sheet against the accused/applicant has already been framed by learned trial court vide order dated 10.04.2019. Meaning thereby that accused/applicant is not required for

any further custodial interrogation. Criminality of accused/applicant can be appropriately adjudicated after appreciation of evidence upon trial. Keeping in view the aforesaid facts and circumstances, the present bail application is allowed and the applicant/accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of learned Area/Duty Magistrate Courts, subject to costs of Rs.3,000/- to be deposited in the District Legal Services Authorities, Kapurthala. Further conditions are :-

1. That the applicant/accused shall attend the Court on each and every date of hearing in accordance with the bonds executed by him/her;
2. That the applicant/accused shall not leave India without prior permission of the court;
3. That the applicant/accused shall not tamper with the prosecution evidence.
4. Applicant/accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
5. Applicant/accused shall not commit an offence similar to the offence of which he/she is accused, or for the commission of which he/she suspected.

5. In case the surety is not available, accused/applicant may submit FDR or cash security may also be deposited.

6. Copy of this order be sent to the learned Illaqa/Duty Magistrate forthwith under the signatures of Reader for compliance. A soft copy of the bail order be sent by e-mail to the accused/applicant through the Jail Superintendent forthwith.

Pronounced in Open Court:-

Dated: 11.08.2025

Nitish

Directly Typed

(Rashmi Kapila)

Judge, Special Court,

Kapurthala.

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