

**In The Court Of Sh. Jaspal Verma,
Judge, Special Court, Kapurthala (UID:PB0136)**
CNR No. PBKP010043622023 Case No. BA/1817/2023



Presented on : 23-08-2023

Registered on : 23-08-2023

Decided on : 01-09-2023

FIR No.170 dated 12.08.2023
U/S 15-E/29/61/85 NDPS Act,
PS Sultanpur Lodhi, District Kapurthala.

Amandeep Singh aged about 37 years son of Satnam Singh resident of Village Kamalpur, P.S. Sultanpur Lodhi, District Kapurthala.

Applicant-accused.

Versus

State of Punjab

Application for bail under Section 438 Cr.P.C.

Present: Sh. S S Malhi, Advocate for applicant-accused.
Ms. Meetu Sheanhmar, Addl.PP for the State.

ORDER

1. Heard on the application for grant of bail u/s 438 Cr.P.C. filed by the applicant/accused Amandeep Singh in this case bearing FIR No.170 dated 12.08.2023 U/S 15-E/29/61/85 NDPS Act, PS Sultanpur Lodhi, District Kapurthala on the ground that he is innocent and has been falsely implicated in this case by the police on the basis of disclosure statement of the co accused after creating false and forged story by the police altogether without any base, which does not inspire confidence. Nothing is to be recovered from the possession of the applicant. He is not having any connection with the

accused. He is not named in the FIR. The alleged recovery is stated to have been effected already from the co accused and nothing is to be recovered from the possession of the present applicant. As per FIR, no offence is made out against the applicant in any manner, but the applicant is involved just on the basis of alleged disclosure statement of co- accused which is irrelevant. Even the co accused has been released on interim bail. The police has manipulated the version which is totally false and unnatural. So the applicant is entitled to anticipatory bail.

2. Upon notice, application is opposed by Addl. PP for the State on the ground that the allegations in the application are false and heinous crime has been committed by the accused and therefore, he is not entitled to anticipatory bail. He has argued that the present applicant has been nominated in this case on the basis of disclosure statement made by co accused as having purchased intoxicant material from present applicant Amandeep Singh and doing work together. So the accused is not entitled for anticipatory bail. So, he has prayed for dismissal of the bail application.

3. I have heard counsel for the accused, Addl. PP for the State and have gone through the police file produced by SI Labh Singh from P.S.Sultanpur Lodhi, District Kapurthala.

4. The present bail application for anticipatory bail has been filed by accused Amandeep Singh in this case bearing FIR No.170 dated 12.08.2023 U/S 15-E/29/61/85 NDPS Act, PS Sultanpur Lodhi, District Kapurthala on the ground that he has been falsely implicated

in this case. Alleged recovery has already been affected from the possession of the co-accused. He is nothing to do with the alleged recovery. Therefore, anticipatory bail be granted to him. Perusal of the police file shows that after registration of FIR against accused Manga Singh and Nishan Singh made disclosure statement under section 27 Indian Evidence Act wherein, it has been mentioned by the accused that he has been purchasing intoxicant material alongwith Amandeep Singh. So, vide DDR No. 16 dated 16.08.2023, the present applicant was added as accused and offence under section 29 NDPS Act was also added in the FIR. So it is clear that name of the applicant/ accused has been mentioned in the proceedings recorded by the police. So, the accused has been specifically named. The allegations against applicant/accused are serious in nature as co-accused were found in conscious possession of 100 KG Poppy Husk along with Electronic Kanda and INNOVA car No. PB08-AW-7527 colour silver allegedly purchased by him from the present accused/applicant. Thus, present accused is selling intoxicant material and so his custodial interrogation is required to be done. Accordingly, present application stands dismissed. Police record be returned. Bail application file be attached with the remand papers/main file.

**Pronounced in open Court.
Dt.01.09.2023
(Abhika Rawat)**

**(Jaspal Verma),
Judge Special Court,
Kapurthala (UID No.PB0136)**

Amandeep Singh Vs. State

CNR No.PBKP010043622023

BA No.1817-2023

Present: Sh. S S Malhi, Advocate for applicant-accused.
Ms. Meetu Sheanhmar, Addl.PP for the State.

Police record produced from P.S. Sultanpur Lodhi,
District Kapurthala. Arguments heard. Vide my separate detailed
order of even date, the present bail application of applicant-accused
Amandeep Singh is hereby dismissed. Police record be returned.
Bail application file be attached with the remand papers/main file.

Pronounced in open Court.
Dt.01.09.2023
(Abhika Rawat)

(Jaspal Verma),
Judge Special Court,
Kapurthala (UID No.PB0136)