

**IN THE COURT OF RAVI GULATI,  
JUDGE SPECIAL COURT, GURDASPUR .**

CIS No: BA-1762-2025

CNR No: PBGD010041782025

Date of Order:05.05.2025

PBGD010041782025



Pawan Kumar @ Biba aged about 29 years son of Balwinderpal  
resident of Gali Kimto Wali, Gandhi Camp, Batala, Tehsil Batala,  
District Gurdaspur. ....Accused/Applicant.

Versus

State of Punjab

.....Respondent.

**FIR No.104 Dated 11.04.2025**

**U/S 21/29 of NDPS Act & Section 111 of BNS**

**P.S. Civil Lines Batala**

**First Bail Application under Section 483 BNSS**

Present: Sh. Deepak Sharma Advocate for accused/applicant.  
Sh. Jatinder Pal Singh APP for the State.

**ORDER**

Present bail application has been filed by  
accused/applicant Pawan Kumar @ Bina son of Balwinderpal  
seeking regular bail under section 483 of BNSS. Varkha who is  
stated to be wife of accused/applicant has also filed her affidavit to  
the effect that this is the first bail application filed on behalf of  
accused/applicant under section 483 of BNSS. As per report of  
Ahlmad, no other of the bail application of the accused/applicant is  
pending in any court in this FIR.

2. Upon notice, learned APP for the State put in appearance on behalf of the State and contested the bail application. Police record was also requisitioned. SI Manohar Singh No.155/ASR(R), P.S. Civil Lines Batala has appeared alongwith record and also suffered statement that no other bail application of the accused/applicant is pending in any court in this FIR. He further stated that the present accused/applicant was nominated under section 29 of NDPS Act on the disclosure statement of main accused and total recovery in this FIR is 04 Gram of Heroin.

3. Learned counsel for accused/applicant submitted that she is innocent and has been falsely implicated in the present case on the basis of disclosure statement of co-accused. He argued that nothing was recovered from the accused/applicant who is in judicial custody since 11.04.2025. Therefore, he prayed that accused/applicant be granted concession of regular bail.

4. On the other hand, learned APP for the State has opposed the bail application on the grounds that as per the allegations, he supplied the Heroin which was recovered from accused Love Kumar. Thus he prayed for dismissal of the bail application.

5. After hearing both the sides and after going through the record, this court finds that the present FIR has been registered against one Love Kumar on the allegations that on 11.04.2025, he was found in possession of 04 Gram Heroin by the police party of P.S. Civil Lines Batala. As per the police record, said Love Kumar

suffered disclosure statement after his arrest that present accused/applicant Pawan Kumar had supplied said Heroin to him. Thus he was nominated as accused in this FIR by invoking section 29 of NDPS Act and section 111 of BNS. He was accordingly arrested on 11.04.2025. As per the record, no incriminating substance has been recovered from the present accused/applicant and recovery in this case is only 04 Gram of Heroin. Section 111 BNS has been added in this FIR but at this stage, the applicability of said section is also debatable in view of the allegations against the present accused/applicant. He is in custody since 11.04.2025. No other criminal antecedents of accused/applicant have been pointed out. Therefore, taking into consideration the aforesaid facts, this court is of the opinion that no purpose would be served by keeping the accused/applicant behind bars for indefinite period as presentation of challan and conclusion of trial is likely to take sufficient time. As such, present bail application is hereby allowed and accused/applicant Pawan Kumar @ Biba is admitted to regular bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount and subject to the following conditions:-

- i That he shall attend the court regularly;
- ii That he shall not hinder the ongoing investigation/trial;
- iii That he shall not leave the country without prior permission of the Court;

- iv That he 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/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- iv. That he shall not commit an offence similar to the offence of which he is accused or suspected.

However, the observations made hereinabove shall have no effect on the merits of the main case. Bail bonds not furnished. Police record be returned and record of the present bail application be attached with remand papers.

Pronounced  
Dated:-05.05.2025.  
Shiv Kumar, Stenographer-I

(Ravi Gulati)  
Judge Special Court,  
Gurdaspur (UID No. PB0242)