

Manjit Singh @ Laddu Versus State. BA No.1762 of 2020.
(CNR No.PBHO01-004287-2020).

‘Application U/s 439 Cr.P. C for Regular Bail’.

Present: Shri M.P Singh, Counsel for applicant-accused.
Shri Satnam Singh, Additional PP for the State.

ORDER:

Applicants Manjit Singh @ Laddu is seeking bail in FIR No.56 dated 6.8.2020, under Section 18B-61-85 of ND&PS Act and Section 29 ND&PS Act was added later on, pertaining to Police Station Garhdiwala, Hoshiarpur.

2. Upon notice, application is opposed by Learned Additional PP for the State on the ground that allegations against accused are serious and he cannot be granted bail because the offence is heinous in nature. So, he has prayed that application be dismissed.

3. In brief, case of prosecution is that on 6.8.2020, SI Parvinder Singh was present at Police Station Garhdiwala where MHC informed that ASI Paramjit Singh alongwith other police officials laid picket near Jehdewal turning of Village Machhian and were checking the vehicles. In the meanwhile one Activa scooter without registration number of white colour was seen coming from Machhian side which was being driven by a clean shaven person. He was signaled to stop but on seeing the police party, he tried to slip away but he was apprehended on the basis of suspicion by the police party. After complying with the provisions of law and on asking, accused disclosed his name as Manpreet Singh @ Monu son of Malkit Singh. On search of

Activa scooter in the presence of police officials, opium was recovered from the Dicky of the scooter which on weightment came to be 500 gram opium. FIR was registered against the accused and he was arrested. Later on, on his disclosure statement, section 29 of ND&PS Act was also added as he brought the contraband from Manjit Singh @ Laddu son of Harbhajan Singh of Village Guru Ka Hussainpur, Police Station Bullowal, District Hoshiarpur. Accused Manjit Singh was also arrested and other formalities were completed.

4. Learned Counsel for applicant-accused has contended that applicant has been falsely implicated and alleged recovery has been planted upon the accused. As per schedule attached to ND&PS Act, the recovered contraband falls below the commercial quantity. The applicant-accused is in custody since his arrest i.e. 8.8.2020. The presentation of challan and conclusion of trial may take time. No useful purpose will be served by keeping the applicant-accused in custody, rather it will be burden on the State Exchequer. Without commenting on the merits of the case, applicant-accused Manjit Singh @ Laddu is ordered to be released on bail subject to his furnishing personal bail bonds in the sum of Rs.50,000/- with one surety in the like amount subject to the conditions that he will appear in the court on each and every date of hearing, will not tamper with the prosecution evidence and will not leave India without prior permission of this court. Bail application stands disposed of accordingly. Dasti release warrant be issued as accused is confined in jail at Gurdaspur. Record be returned and papers be attached with the remand papers.

Announced in open court:
Dated: 31st August, 2020.

‘Gautam Manocha, JW (SG)’

(Sandeep Kumar Singla),
(D) Judge, Special Court, Hoshiarpur.
(UID No.PB-0118).