

IN THE COURT OF RAVINDERJIT SINGH BAJWA
JUDGE SPECIAL COURT, TARN TARAN
(UID No. PB0231)

Case Type	BA
Filing Number	3261/2025
Registration number	1810/2025
CNR Number	PB-TT-01-003761-2025
Date of Decision	05.06.2025

Hardeep Singh, aged 30 years, son of Kuldeep Singh, resident of village Mari Mehga, Police Station Khalra, Tehsil Patti, District Tarn Taran.
.....*Accused/applicant*

Versus

State of Punjab.

(First bail application under Section 483 of BNSS)

F.I.R.No. 37 dated 05.05.2025 under Section 21-B of the Narcotic Drugs and Psychotropic Substances Act, 1985, section 29 of NDPS Act has also been enhanced later on.
Police Station, Kacha Pacca

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Present: Ms. Kirandeep Kaur, Adv for applicant/accused.
 Sh. Ravinder Singh Chandi, APP for the State
 SI Simarjit Kaur, belt no.468/FR along with record.

ORDER

1. By this order, this Court intends to dispose of this 1st bail application under Section 483 of BNSS having been filed by applicant-accused Hardeep Singh.
2. Notice of the bail application was served upon the State through learned Additional PP attached to this court alongwith copy of bail application, who received the same, appeared and contested the bail application on merits. Police record was also requisitioned which has been received and perused.

3. I have heard the respective submissions of both the sides and carefully gone through the police file.

4. Applicant-accused by way of filing this bail application under section 483 of BNSS has submitted that a false and fabricated FIR has been registered against him and recovery allegedly made from him, is planted one. That no offence has been committed by him and that a perusal of the FIR registered against the applicant-accused shows that no independent witness was joined in the alleged recovery even when accused has been arrested from a public place which is a thoroughfare and therefore, applicant-accused has prayed for allowing his bail application.

5. On the other hand, learned Additional PP for the State opposed the bail application on the ground that during checking of the applicant-accused, 09 grams Heroin was got recovered from his possession and the investigation in the present case is still pending and during continuation of investigation proceedings, accused is not entitled to the concession of bail as he is likely to interfere into the same.

6. From the submissions made by the learned counsel for the applicant-accused and learned Additional PP for the State, I am of the considered view that accused is in judicial custody since 05.05.2025. The recovery has already been effected from the accused. The investigation pending against him is almost completed and he is no more required by the IO for further investigation. His further incarceration in custody would be a burden on the State exchequer. Recovery of 09 grams Heroin which was effected from him apparently does not fall within the ambit of commercial quantity of this contraband as has been reflected in the schedule appended with NDPS Act so the provision of section 37 of

NDPS Act is not attracted in this case. Accordingly, the bail application of applicant-accused filed under Section 483 of BNSS is allowed and he 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 this court/Illaq/Duty Magistrate subject to the following conditions :-

- A. That the applicant shall appear before the Trial Court on each and every date of hearing.*
- B. That the applicant shall not directly or indirectly induce or coerce any witness of prosecution so as to dissuade him from deposing as witness in the Court.*
- C. That the applicant shall not leave India without prior permission of the Court.*

Police record be returned and the file of this bail application be attached with the remand papers/challan file/consigned to the record room.

Pronounced in open court

Dated: 05.06.2025

Rahul Sharma (steno)

Ravinderjit Singh Bajwa,

Judge Special Court,

Tarn Taran/UID-PB0231