

**IN THE COURT OF SH. AMAR PAUL,
JUDGE SPECIAL COURT, LUDHIANA**

BA/18110/18
CNR No.PBLD010289122018
Date of decision 21.12.2018

State

Versus

1.Zora Singh son of Dalip Singh
2. Avtar Singh son of Randhir Singh
both residents of village Salaudi P.S.Sadar Khanna District Ludhiana.

.....Applicants/Accused

F.I.R. 189/8.8.2018
U/s 15/25/61/85 of N.D.P.S. Act
P.S. : Sadar Khanna.

Bail application under Section 439 Cr.P.C.

Present:- Sh.Raman Kaushal Adv.for the applicants.
Sh. Rajbir Singh Chahal Addl. PP for the state.

Order:

1. This order shall dispose off bail application of applicant/accused filed under Section 439 of the Cr.P.C., in the present case.
2. Notice of bail application was given to the Addl. PP for the state, Record was called and perused.
3. After hearing the Ld.Addl.PP for the state, Ld.counsel for the applicant and going through the record, it has been found that present FIR has been registered on 8.8.2018 against the applicants on the allegation that on 8.8.2018 SI Avtar Singh alongwith his police party was present in the area of Bulepur at about 10.30 P.M.,one truck no.PB23K-7276 came from the side of Gobindgarh and then SI Avtar Singh gave signal to the driver of the truck to stop but he tried to leave the spot but police

apprehended the driver of the truck who disclosed his name Avtar singh and one person who was sitting on the conductor seat of the truck was also arrested who disclosed his name Zora Singh. SI Avtar singh disclosed to them their legal right of personal search and they sought their personal search in the presence of Gazatted officer. Accordingly at the spot DSP Deepak Rai was called who reached at the spot and in his presence police conducted the search of the truck and from the tool box of the truck 3 plastic bags were recovered and each plastic bag was containing 20kg poppy husk. Hence total 60kg poppy husk has been recovered in this case from the possession of the applicants. Applicants have been arrested at the spot on the same date i.e.,8.8.2018. Recovery in this case i.e.,60kg poppy husk is commercial quantity as per the schedule of NDPS Act. Section 37 of NDPS Act creates a bar to release the applicants on bail. Hence keeping in view of the above reason bail application of the applicants is dismissed being without any merits. Papers be attached with the main file.

Komal
Stenographer

Amar Paul
UID-PB-0450
Judge Special Court,
Ludhiana.

Pronounced
Dated 21.12.2018

Present: Sh. Raman Kaushal Adv. Counsel for applicant
Sh. Rajbir Singh Chahal Addl. PP for the State.

Heard. Vide my separate detailed order of even date,
the present bail application is dismissed. Papers be attached with the main
file.

Komal
Stenographer

Amar Paul
UID-PB-0450
Judge Special Court,
Ludhiana.

Pronounced
Dated 21.12.2018