

MHTH270024792025



ORDER BELOW EXH.1 IN CRI. BAIL APPLN. NO.1182/2025

Avtar Singh Pyara Singh Sandhu vs. The State

(Date : 02.02.2026)

1- After being arrested in connection with Crime No.676/2025 of APMC Police Station, District Thane for offences punishable under Sections 8(c), 17(a), 21(a), 21(c), 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter 'NDPS Act'), the applicant **Avtar Singh Pyara Singh Sandhu** has applied for regular bail under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS').

2- Offences alleged against the applicant :-

Succinctly leveling a variety of allegations and narrating the sequence of events in all, the contents of the F.I.R. disclose that on 19.11.2025 at about 12.00 at room no. G-3, Parshuram Patil Building no.15/3, Gavdevi Temple, Sector 26, Koprigaon, Vashi, Navi Mumbai the co-accused Vikramjeetsingh was found in possession of heroin of worth Rs.1,35,90,000/- for sale. During investigation it is revealed that the applicant also received the contraband from the co-accused Vikramjeetsingh and others and he used to sell the said contraband in Thane and Navi Mumbai area. The applicant and other accused persons have thereby committed above offences. The applicant came to

be arrested on 13.12.2025 at 13.00. It is alleged that 1.8 gram heroin was recovered from the applicant.

3- Contentions :-

a) The applicant has prayed to admit him to bail by contending that the applicant has been falsely implicated in the case and nothing incriminating has been recovered from him, the applicant is innocent and has not committed any offence whatsoever, the applicant is sole earning member of his family, there is no likelihood of the applicant tampering with the prosecution evidence, the investigation of the case *qua* the applicant is over and no useful purpose would be served if he is denied bail.

b) The investigating officer has filed say (Exh.4) and contended that the investigation conducted so far specifically names the applicant and his role in the offences, the investigation of the offences is still going on, the applicant will tamper prosecution witnesses and/or hamper the investigation, the applicant will commit similar offence if released on bail and he will not cooperate with the process of law, therefore, the bail application be dismissed.

4- Submissions :-

a) Learned counsel appearing for the applicant submits that after reading the police papers there are no grounds for believing that the applicant has committed any offence, custodial interrogation of the applicant is no more required in

the backdrop of the fact that after initial police custody the applicant is eventually remanded to judicial custody, the record will demonstrate that the applicant is not a drug peddler but at the best it can be said that he purchased the contraband for consumption, the magnitude of the offence cannot be a sole criterion for denying the bail to the applicant, the applicant is ready to abide by any bail condition, the applicant is resident of Koparkhairane, Navi Mumbai, Maharashtra State and there is no chance of his absconding, the applicant is respectable man of the society and he has never come to the adverse notice of any law enforcing authority, the applicant is not previously convicted and therefore he be released on bail.

b) *Per contra*, learned A.P.P. has strongly resisted the application contending that the allegations against the applicant are serious, the contents of F.I.R. and investigation papers practically prove that the applicant is guilty of serious offence, there is *prima facie* evidence to convict the applicant for the offence, the Court need not go into minute details of the case while deciding the bail application, the applicant cannot claim innocence and ignorance in the facts and circumstances of the case, although there is no judgment of conviction of the applicant his conduct itself is showing his criminal mindset, the applicant is person wielding considerable influence, he is affluent and there is every possibility of his interfering with the investigation if set at large, his custody till the investigation is very essential for an effective and complete investigation of the

case and therefore the application be dismissed in the interest of justice.

5- Discussion :

After hearing learned counsels for both the sides and going through the record with their valuable assistance and after considering the matter deeply, the co-accused Vikramjeetsingh was found in possession of commercial quantity of heroin and as the investigation geared up the name of present applicant was also revealed to be the part of the drug cartel. Although the learned counsel for the applicant tries to suggest that the applicant at the most can be a drug addict but he is not the conspirator involved in the sale of the contraband, the investigating officer has specifically mentioned in the say that the applicant used to sell the contraband in Thane and Navi Mumbai area. The investigation of the offences is still going on. Taking into consideration the totality of the facts and circumstances emanating from the record, the nature and gravity of the accusation, the reasons discussed herein above and without commenting further anything on merits, *lest* it may prejudice the case of either sides during the course of trial, applicant is not entitled for bail. Hence, following order.

ORDER

The bail application is dismissed and disposed off.

Date : 02.02.2026

(C. V. Marathe)
Additional Sessions Judge, Belapur.

CERTIFICATE

I affirm that the contents of this PDF judgment /order are same word to word as per the original order.	
Name of the Stenographer	: M. P. Joshi, Steno Grade-1
Name of the Court	: District Judge-1 & Addl. Sessions Judge, Belapur.
Date of the Judgment/Order	: 02.02.2026
Judgment /Order signed by the P.O. on	: 02.02.2026
Judgment/Order uploaded on	: ----

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