

**IN THE COURT OF KAWALJIT SINGH,
JUDGE SPECIAL COURT, TARN TARAN.
(UID Number PB0155)**

Case Type	Bail Application
Filing Number	2794/2022 Filing Date: 07.07.2022
Registration Number	1740/2022 Date of Registration: 08.07.2022
CNR Number	PBTT0100-3426-2022
Date of Decision	18.07.2022

Surinder Singh alias Nishan Singh, aged 32 years son of Charan Singh,
resident of village Marar, Tehsil Patti, District Tarn Taran.

...Applicant-accused

Versus
State of Punjab

...Respondent

FIR No.64 dated 05.04.2022
Under Section 21 (c), 25, 29 NDPS Act
Police Station, SPF SAS Nagar Mohali (Police of Police Station Chohla
Sahib has investigated the case)

BAIL APPLICATION UNDER SECTION 439 Cr.P.C.

Present: Shri R.P. Lumba, counsel for the applicant
Shri Gurpreet Singh Rana, Additional P.P. for State

ORDER

Applicant-accused has filed the instant bail application under
Section 439 Cr.P.C., seeking regular bail in the above noted case.

2. It is argued by the learned counsel for the applicant that
applicant is innocent and has been falsely implicated in this case. He has not
committed any offence and is not involved in the alleged recovery of 500
grams of heroin and this recovery has been planted upon the applicant
illegally. It is submitted that the applicant is in judicial since 05.04.2022.
Conclusion of the trial is going to take considerable period of time and
prayed that the applicant may kindly be granted the concession of regular
bail.

3. On the other hand, learned Additional Public Prosecutor for the State opposed the bail application and prayed that bail may kindly be dismissed. It is submitted that from the conscious possession of applicant and his co-accused commercial quantity of 500 grams of heroin was recovered when they were intercepted by the police while coming in a car being driven by the applicant and prayed that the applicant does not deserve the benefit of regular bail as provisions of Section 37 of NDPS Act also curtail the power of this court to grant bail to the applicant.

4. As per allegations of prosecution, on 05.04.2022 commercial quantity of 500 grams of heroin was recovered from the conscious possession of the applicant and his accused from beneath the arm rest of the car being driven by the applicant. Provisions of Section 37 of NDPS Act curtail the power of this court to grant bail to the applicant. Thus, no ground is made out to release the applicant on bail. Present bail application, being devoid of any merit, is hereby dismissed. However, it is made clear that observation made herein above shall not be construed as an expression on the merits of the main case. Papers be tagged with the main file.

Announced: 18.07.2022

**Kawaljit Singh,
Judge Special Court,
Tarn Taran.
UID Number PB0155**

Rahul Sharma Stenographer Grade-II