

**IN THE COURT OF NEETIKA VERMA, (UID NO. PB0209),
JUDGE, SPECIAL COURT, SAS NAGAR.**

Bail Application No. BA/1721/2025

CNR No. PBSA01-004668-2025

Date of Institution: 23.05.2025

Date of Order : 29.05.2025

Lakhan, aged 21 years, S/o Mangat Ram, R/o House No.84/85, Gaval
Mandir, PS Kot Ferozepur Cantt., Punjab.

.....Accused/petitioner

Versus

State

(First Bail application under Section 483 of BNSS)

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FIR No. 95 dated 12.04.2025

Under Section: 21(c) & 29 of NDPS Act & 25 Arms Act.

Police Station : ANTF, Mohali.

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Present : Sh. Saurav Sharma, Advocate for the applicant/accused.
Sh. Hardeep Singh, Additional Public Prosecutor for the State.

O R D E R

1. This order shall decide the application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as BNSS) filed on behalf of the applicant/accused Lakhan in case FIR No.95 dated 12.04.2025 under Section 21(c) & 29 of NDPS Act & 25 Arms Act registered at Police Station ANTF, Mohali.

2. The very substance of the application being that applicant/accused had been falsely implicated in this case. He is innocent and has never committed any offence. Nothing incriminating was recovered from his possession and he was not even present at the spot. It has further been contended that he had nothing to do with the alleged crime, as the recovery of 500 grams of Heroin and pistol of .32 bore is fabricated and planted one. Besides that, it was contended by Ld Counsel

for the applicant that despite of being in custody for a sizeable period, the report of the Chemical Examiner has not been received so far.

3. Pursuant to the notice to the State, the learned Addl. Public Prosecutor for the State contested the claim of the applicant on the ground that the applicant/accused is culpable under the stringent provisions of Narcotic Drugs and Psychotropic Substances Act, 1985 and consequently should be denied the concession of bail. Judicial file received and perused.

4. ASI Som Raj, No.549/SAS Nagar, P.S. ANTF appeared and suffered statement that he is the Investigating Officer of the present case. In the present case, 500 gram Heroin has been recovered from the co-accused Ram. One pistol .32 bore alongwith 2 live cartridges of .32 bore and one magazine were recovered during house search of accused Lakhan. During investigation, offence under Section 29 NDPS Act and Section 25 Arms Act were added in the case. There are two more cases i.e. FIR No.81/2023 under Section 399, 402 IPC P.S. Sadar Ferozepur and FIR No.106/2024 under Section 25 Arms Act P.S. Cantt. Ferozepur registered against the applicant/accused. He has been arrested in the case on 12.04.2025.

5. Perusal of police file transpires that applicant/accused is alleged to have supplied heroin to co-accused, who happens to be his brother, and had received Rs 60,000/- from his brother Ram. The remaining amount was to be given to him by Ram after selling the contraband. It also surfaced that earlier also, the accused/applicant had provided 200 gms of heroin to co-accused Ram which was sold by him for Rs 2,00,000/-. From the possession of accused/applicant, one pistol

7.65mm (.32) bore was recovered on which MADE IN ITALY was written and one magazine with two live cartridges were recovered. The accused/applicant had no explanation as to how he came in possession of the same.

6. In view of the fact of the present case, as discussed above, provisions of Section 37 of the NDPS Act would be applicable and there is every likelihood that accused if released on bail would again indulge into said drug trade and for that matter, accused is not entitled to the bail. As such, the present bail application stands dismissed and be tagged with the record of main case.

Pronounced in open Court

Dated: 29.05.2025

Typed by Tajinder Singh (JW)

**Neetika Verma,
Judge, Special Court,
SAS Nagar/UID-PB0209**

Present : Sh. Saurav Sharma, Advocate for the applicant/accused.
Sh. Hardeep Singh, Additional Public Prosecutor for the State.

Police record is received and perused. Statement of IO ASI Som Raj has been recorded separately.

Arguments heard. Vide my separate detailed order of even date, the present bail application stands dismissed. Police record be returned. Papers be tagged with the main file.

Pronounced in open Court

Dated: 29.05.2025

Typed by Tajinder Singh (JW)

**Neetika Verma,
Judge, Special Court,
SAS Nagar/UID-PB0209**