

**IN THE COURT OF SH. BIKRAMJIT SINGH, ADDITIONAL SESSIONS
JUDGE, BARNALA. (UID NO. PB0224)**

BA No.1729-2025

CNR No.PBBR01-004755-2025

Date of Institution : 14.10.2025

Decided on: 01.11.2025

**Baljinder Singh, alias Nikku, son of Jiwan Singhm, resident of village
Ramgarh, District Barnala.**

.....Applicant

versus

State of Punjab

.....Respondent

FIR No.64, dated 14.09.2025

U/s 22, NDPS Act, 1985,

Police Station : Tallewal.

Bail application under Section 483, BNSS, 2023

Present: Sh. G. S. Dhilwan, Advocate, for the applicant-accused-Baljinder
Singh, alias Nikku.

Sh. Dilpreet Singh, Addl. PP for the State.

ORDER

This order of mine shall dispose of above mentioned bail
application moved by applicant-accused-Baljinder Singh, alias Nikku in the
above noted case for grant of regular bail under section 483 of the BNSS, 2023.

2. Notice of bail application was issued to the respondent-State and

learned Addl. PP for the State has put in appearance. Record of investigation received and perused.

3. I have heard the learned counsel for the bail applicant, learned Addl. PP for the State and also perused the record.

4. Succinctly stated as per the prosecution version, on dated 14.09.2025, Nirmaljeet Singh SI, along with fewer other police officials, was present at bridge of canal, village Tallewal, District Barnala for the purpose of patrolling and checking of suspicious persons. It was about 03:20 P. M., Nirmaljeet Singh SI received a tip-off to the effect that one Baljinder Singh, alias Nikku is indulged in selling intoxicant tablets within the areas of village Ramgarh and village Tallewal after procuring the same from outside. Today also, he is present at Barnala – Moga Highway on a electric scooty to supply intoxicant tablets. If a raid is conducted instantly, then, he can be apprehended red-handed.

Finding the information reliable, Nirmaljeet Singh SI sent a ruqa through Baljeet Kaur L/CT to Police Station Tallewal for the purpose of registration of an FIR under Section 22 of the NDPS Act, 1985 against Baljinder Singh, alias Nikku. Thereafter, Nirmaljeet Singh SI, along with a police party, proceeded towards village Ramgarh from bridge of canal, Tallewal and when the police party reached 500 meters ahead spotted one person sitting on a Bus Stop at National Highway holding a polythene bag. The person was apprehended by the police party. The person upon enquiry identified himself as Baljinder Singh, alias Nikku (applicant-accused). Intoxicant tablets and the intoxicant capsules were clearly visible inside the polythene bag. After complying with mandatory

provisions of the NDPS Act, 1985, the search of the polythene bag in the possession of the applicant-accused got conducted, which resulted into recovery of 10 strips of intoxicant capsules, labelled Pregabalin capsules IP 300 mg, each strip containing 15 capsules, 150 capsules in total, and loose intoxicant tablets, 70 Nos., therefrom. The applicant-accused was arrested into the present case.

Representative samples of the intoxicant capsules and the loose intoxicant tablets, allegedly recovered from the possession of the applicant-accused, have been sent to the RTFSL, Bathinda, Punjab for chemical analysis purpose. The requisite FSL report is yet to be awaited.

5. Learned counsel for the applicant-accused has vehemently contended that the applicant-accused is the quite innocent person and has been falsely implicated in this case. The prosecution allegations are totally false and frivolous. The FSL report in regard to the contrabands allegedly recovered from the possession of the applicant-accused is not received so far. In such a situation, it is not possible to comment upon the nature of the contrabands allegedly recovered from the possession of the applicant-accused. The applicant-accused is in custody since 14.09.2025. He further submitted that presentation of challan and thereafter conclusion of trial may take considerable time and no useful purpose would be served by detaining the applicant-accused further behind the bars. The applicant-accused will abide by all the terms and conditions as imposed by this Court. Lastly, a prayer for grant of regular bail during the pendency of the present bail application or in the alternate a prayer for grant of interim bail to the applicant-accused till receipt of report of chemical examiner has thus, been

made.

6. On the other hand, learned Addl. PP for the State has opposed the bail application on the ground of seriousness of the offence and a prayer for dismissal of bail application has thus, been made.

7. After giving thoughtful consideration to the rival contentions and after going through the record, this Court is of the considered view that the applicant-accused is entitled for interim bail at this stage. As per prosecution allegations, the applicant-accused on dated 14.09.2025 had in his conscious possession 10 strips of intoxicant capsules, labelled Pregabalin capsules IP 300 mg, each strip containing 15 capsules, 150 capsules in total, and loose intoxicant tablets, 70 Nos., as detailed above. The applicant-accused is in custody since 14.09.2025. Challan of the case has not been presented so far and even report of chemical examiner has not been received so far. Unless and until report is received from the office of Chemical examiner, content of contraband cannot be determined and at present applicant-accused is in judicial custody merely on the basis suspicion of investigating officer that material recovered from applicant-accused is some narcotic or psychotropic substance. In these circumstances, it would not be proper and justified to keep the applicant-accused in custody for an indefinite period till the report of chemical examiner is received. In this regard, I find support from the law laid down by Hon'ble High Court of Punjab & Haryana in case titled as **“Inderjit Singh @ Laddi Vs. State of Punjab 2014 (3) RCR (Criminal) 953”**. In view of my discussion above and law laid down by Hon'ble Punjab and Haryana High Court, it is a fit case where interim bail should be granted

to the applicant-accused. Accordingly, applicant-accused is ordered to be released on **interim bail** on furnishing bail bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of Illaqa/duty Magistrate with the following conditions:

- i) That the applicant-accused shall remain present before the court on each and every date of hearing.
- ii) That the applicant-accused shall not leave India without the prior permission of the court.
- iii) That the applicant-accused shall not influence or intimidate any of the prosecution witnesses in any manner whatsoever.
- iv) That the applicant-accused shall not commit similar offence in future.
- v) That this order of interim bail is subject to the result of the chemical examiner.

It is further made clear that if, on receipt of report of Chemical Examiner/Forensic Science Laboratory, quantity of recovered contraband is found to be of commercial quantity under the NDPS Act, 1985, the relief of interim bail will come to an end automatically and accused has to be surrender in the Court and will be taken into custody, without any further order of cancellation of his interim bail. Accordingly, the present bail application is disposed of. Police record be returned. Bail application file be attached with the connected papers.

Pronounced in open Court on
01st day of November, 2025.

Gurdit Singh
JW Grade-II

(Bikramjit Singh),
Judge, Special Court,
Barnala.
(UID No.PB0224)