

CNR No. PBPO010061602025



Case No. BA/1756/2025

Presented on : 06-12-2025
Registered on : 06-12-2025
Decided on : 09-12-2025

**In the Court of Jatinder Pal Singh Khurmi,
Judge, Special Court, Pathankot.
(UID No. PB-00057)**

**Case No.829 of 06.12.2025
CIS No. BA/1756/2025.
CNR No.PBPO010061602025.
Date of Order: 09.12.2025.**

Dalbir Singh @ Danish son of Sh. Surinder Singh aged about 21 years,
R/o House No.311 Nathu Nagar, Dhangu Road, Pathankot Tehsil and
District Pathankot.

...Applicant-accused.

Versus

State of Punjab
...

FIR No. 179 dated 05.10.2025.
U/S. 21,22-61-85 NDPS Act and
later on added Section 29 NDPS Act and
Section 111 BNS
PS Division No. 02, Pathankot.
...

(First Bail application U/s 483 of BNSS).

Present: Sh. Nureen Pathania Advocate for the applicant-accused.
Sh. Arun Kumar, Additional Public Prosecutor for the
State.

ORDER:

1. Heard on the regular bail application under Section 483 of
BNSS, 2023 moved on behalf of the applicant/accused.
2. ASI Naresh Kumar No. 1236/PTK, PS Division No.2
Pathankot has tendered proforma containing brief of the case duly

attested by SI/SHO Arun Kumar 1318/GSP.

2.1 FIR was registered against accused Dalbir Singh @ Danish and Manav, who were arrested in FIR no. 170 dated 28.09.2025 u/s 109, 351(2), 191(3), 190, 111, 253 BNS, 25-54-59 Arms Act, PS Division no. 02 Pathankot, on 25.06.2025. On the basis of disclosure statement of accused Manav and Dalvir Singh, when the police officials for the recovery of illegal weapon i.e. Pistol at a abandoned building in front of MSP Cinema.

2.2 Further on the basis of disclosure statement of accused Manav, the weapon used for the crime, 32 bore Magazine, 6 live rounds, 32 bore and a intoxicant substance and Dalbir Singh in his disclosure statement 5 live round 32 bore and a plastic polythene containing intoxicant substance was recovered. On the recovery of intoxicant substances from the place of recovery, the enforcement was called. Thereafter the recovery of 120 Gm Intoxicant powder was effected i.e. 60 Gm each from Manav and Dalbir.

2.3 The accused is involved in Three other cases bearing FIR no.170 dated 28.09.2025 u/s 109, 351(2), 191(3), 190, 111 BNS, 25-54-59 Arms Act PS Division No. 02, Pathankot, FIR no.179 dated 05.10.2025 u/s 21, 22-61-85 NDPS Act, PS Division No. 02, Pathankot and FIR no. 4 dated 05.01.2024 u/s 307, 324, 148, 149 IPC PS Division No. 02, Pathankot, Report of RTFSL is yet to be received. Prayer for dismissal of the bail application has been made.

3. I have heard the arguments advanced by Learned Counsel for applicant/accused and Learned Additional Public Prosecutor for

State and also have gone through the record carefully.

4. Police record shows that applicant-accused Dalbir Singh @ Danish has been apprehended in FIR no. 170 dated 28.09.2025 u/s 109, 351(2), 191(3), 190, 111, 253 BNS, 25-54-59 Arms Act, PS Division no. 02 Pathankot, on 25.06.2025, wherein on his disclosure contraband of 60 Gm intoxicant powder was effected from him. RTFSL report is yet to be received. It cannot be said that whether recovery effected is commercial or non commercial.

4.1 The applicant is in custody since 05.10.2025. As per proforma, Three other cases bearing FIR no.170 dated 28.09.2025 u/s 109, 351(2), 191(3), 190, 111 BNS, 25-54-59 Arms Act PS Division No. 02, Pathankot, FIR no.179 dated 05.10.2025 u/s 21, 22-61-85 NDPS Act, PS Division No. 02, Pathankot and FIR no. 4 dated 05.01.2024 u/s 307, 324, 148, 149 IPC PS Division No. 02, Pathankot, against the accused. It can not be said that the accused is continuing in drug cases. However, the sample has been sent to the Chemical Examiner, but the chemical examiner report has not been received as yet. In the absence of report of chemical examiner, it cannot be ascertained as to whether the recovery of contraband effected from the accused falls under commercial quantity or below quantity as per schedule attached to ND&PS Act. The presentation of challan and receipt of chemical examiner report may take time. No useful purpose will be served by keeping the applicant-accused in custody, rather it will be burden on the State Exchequer. Without commenting on the merits of the case, the applicant-accused is ordered to be released on

interim bail, subject to his furnishing bail bonds in the sum of ₹.1,00,000/-with one surety in the like amount, subject to the following conditions:-

- 1). that he shall attend the court on each and every date of hearing;
- 2). that he shall not leave India without prior permission of the trial court;
- 3). that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;
- 4). The furnishing of above bonds shall be deemed acceptance that once the trial begins, the applicant shall not, in any manner, try to delay the proceedings, and undertakes to appear before the concerned Court and to attend the trial on each date, unless exempted. In case of an appeal, on these very bonds, the applicant also promises to appear before the higher Court in terms of Section 437-A Cr.P.C.
- 5). In case after examination of sample, if the alleged recovered quantity turns out to be commercial quantity, then the instant bail shall automatically be cancelled.
- 6). The accused as well as surety shall submit atleast two of the following documents at the time of furnishing the bonds:
 - (a) Passport,
 - (b) Pan Card Copy,
 - (c) Bank Passbook,
 - (d) Credit Card with photograph,
 - (e) Ration card,
 - (f) Electricity bill,
 - (g) Landline telephone bill,
 - (h) Voter ID Card issued by the Election Commission of India,
 - (i) Property Tax Register,
 - (j) Aadhaar Card.
- 7). The accused as well as surety shall inform the police authorities as well as court about the change of his/her residential address, if any.
- 8). The SHO concerned is directed to forward the Chemical Examiner report to the court immediately on receipt of the same and accused shall surrender before the court within one week of the receipt of chemical examiner report for further proceedings, as per law.

- 9). In case the accused is involved in similar cases again, the prosecution is at liberty to file an application for cancellation of bail.

5. Nothing stated here-in-above shall have any bearing on the merits of this case. Bail application of applicant is hereby allowed accordingly. Copy of this order be sent to the court of learned Ilaqa/Duty Judge, for information and necessary compliance. Police record returned. File be consigned to the Judicial Record Room, Pathankot after its completion.

**Announced in open Court:
Dated: 09.12.2025**

**(Jatinder Pal Singh Khurmi),
Judge, Special Court, Pathankot.
(UID No. PB-00057)**

'Sawtanter Kumar, SG-II'

"I attest to the accuracy and authenticity of this document."