

**IN THE COURT OF MS.LUKHVINDER KAUR DUGGAL,
JUDGE SPECIAL COURT, FEROZEPUR.**

*BA No.1728-2026
CNR No.PBFZ01-003785-
2026
Decided on 1.6.2026*

Gaurav Kumar aged about 41 years son of Ramesh Lal resident of Ward NO.9, Muktsar Road, Guruharsahai, P.S.Guruharsahai, District Ferozepur.

.....Applicant-Accused.

Versus

State of Punjab.

....Respondent.

FIR No.78 dated 04.04.2026
U/s 21/61/85 of NDPS Act
Police Station: Guruharsahai

Bail Application for grant of bail u/s 483 BNSS.

Present: Sh.Harish Bajaj, Advocate counsel for applicant/accused.
Sh. Baljit Singh, learned APP for the State alongwith
ASI Rakesh Kumar No.922/FZR P.S.Guruharsahai.

ORDER

1. This order of mine shall dispose of regular bail application filed by the applicant/accused under section 483 BNSS, in the case mentioned above.

2. Notice of the bail application was given to State and Sh. Baljit Singh, learned APP has appeared on behalf of the state. The

concerned Ahlmad has reported that as per CIS system, this is first regular bail application of applicant/accused. No other bail application of application is pending or decided in the present FIR in the Hon'ble High Court as well as Hon'ble Supreme Court of India. ASI Rakesh Kumar No.922/FZR P.S.Guruharsahai has produced the record of investigation and suffered statement that this is the first bail application of the accused. No other bail application is pending or decided by any other Court including Hon'ble High Court. There is one other FIR registered against accused. The accused has not been declared proclaimed offender in the present case. The recovery in the present case is 7 grams heroin.

3. In brief, the case of the prosecution is that on 4.4.2026, applicant/accused was apprehended by the police of Police Station Guruharsahai on the basis of secret information as he was allegedly found in conscious possession of 7 grams of Heroin from applicant/accused without any valid permit or license and as such, he was booked as accused in the present case.

4. The learned counsel for the applicant/accused has argued that the accused/applicant is quite innocent and he has been falsely implicated in the present case. He further argued that applicant/accused has no concern or connection with the present FIR and the name of

applicant/accused has been falsely implicated by the police in the present alleged FIR due to political vendetta. Applicant/accused is in custody since 04.04.2026 and since then he is in judicial custody. The conclusion of trial will take long time as the challan against the applicant/accused is not yet presented by the police. No fruitful purpose will be served to keep the applicant/accused behind the bar for an indefinite period. Lastly, he prayed for releasing the accused/applicant on bail.

5. On the other hand, learned APP for the state strongly opposed the bail application and prayed for dismissal of the same.

6. I have heard the learned APP for the State and learned counsel for the accused/applicant and gone through the police record very minutely

7. Heard. Record perused. As per the prosecution version that on 4.4.2026, applicant/accused was apprehended by the police of Police Station Guruharsahai on the basis of secret information as he was allegedly found in conscious possession of 7 grams of Heroin from applicant/accused without any valid permit or license and as such, he was booked as accused in the present case. This Court is of the considered opinion that in the present case, recovery of 7 grams of Heroin has

already been effected, which falls under the category of “non-commercial quantity”. Applicant/accused is in judicial custody since 4.4.2026. The presentation of challan and its conclusion of the same will take sufficient time. Therefore, keeping in view the facts and circumstances of the present case, this Court is of the view that no useful purpose is going to be served by detaining the accused in custody for indefinite period. As such, without expressing any opinion on merits, the present bail application is allowed. The applicant/accused is ordered to be released on bail on furnishing the bail bonds in the sum of Rs.20,000/- with one surety in the like amount, to the satisfaction of the learned Area/Duty Magistrate, subject to the following conditions:-

- (i) That the applicant shall appear in the Court on each and every date of hearing;
- (ii) That the applicant shall not tamper with the prosecution evidence;
- (iii) That the applicant shall not leave the country without prior permission of the Court.

Police record be returned. Ahlmad is directed to send soft copy of this order by e-mail to the concerned jail Superintendent for compliance of order dated 31.1.2023 of Hon’ble Supreme Court passed in

SMWP (Criminal) No.4/2021. File be attached with the main file or be
consigned.

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Pronounced in the
open Court on
1.6.2026.
Typed by Rohit Kakar
Stenographer II
** directly dictated.*

(Lukhvinder Kaur Duggal)
Judge Special Court,
Ferozepur.
UID No.PB0156