

Present: Sh. Ramandeep Singh, Advocate for applicant/accused.
Sh. Navdeep Goyal, Additional Public Prosecutor for State.

ORDER:

Remand papers, pending in this Court for 05.07.2025 attached with the connected BA/1736/2025, CNR No. PBSG010044602025 entitled Daliwnder Singh Vs. State. Police record produced. Learned Additional Public Prosecutor for the State has already produced report of ASI-Balwinder Singh, No. 376/MNS, PS, Sherpur and today produced report of FSL, SAS Nagar, Mohali. Be placed on file.

2. Heard on first bail application under Section 483 BNSS filed by applicant/accused Lakhvir Singh, in case FIR No. 28, dated 01.05.2025, under Section 21/61/85 of NDPS Act, PS, Sherpur.

3. Learned counsel for applicant/accused has vehemently argued that applicant/accused is innocent and he has been falsely implicated in the present case as he has not committed any offence. He has further argued that recovery of 30 grams of intoxicant powder allegedly effected from co-accused Rasid Khan falls under the head 'non-commercial'. He has further argued that nothing is to be recovered from the applicant/accused, who is in custody since 01.05.2025. He has also argued that presentation of challan and conclusion of trial may take some time and no useful purpose would be served by detaining him behind bars any more. Lastly, he has prayed to allow the bail application.

4. These contentions have been rebutted by learned Additional Public Prosecutor for the State contending that though recovery effected from co-accused Rasid Khan falls under the head 'non-commercial' but he was found in conscious possession of 30 grams of intoxicant powder, without any license or

permission and applicant/accused was also present on the spot along with other co-accused. Lastly, he has prayed to dismiss the present bail application.

5. I have considered the rival contentions raised by learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State. I have also perused the record.

6. As per prosecution story, applicant/accused along with co-accused was apprehended on the spot and co-accused Rasid Khan was found in conscious possession of 30 grams of intoxicant powder. Report of FSL has already been received. As per said report, the ingredient present in the said intoxicant powder is Tramadol Hydrochloride. Recovery has already been effected, which falls under the head 'non-commercial'. Presentation of challan and conclusion of trial may take some time. No useful purpose would be served by keeping the applicant/accused behind bars any more, who is in custody since 01.05.2025. Accordingly, without commenting on merit of the case, bail application filed by applicant/accused is allowed. Applicant/accused is ordered to be released on bail, on furnishing bail/surety bonds to the satisfaction of learned Area/Duty Magistrate, with the direction to transmit the same to this Court immediately as and when furnished. Copy of this order be sent to learned Area Magistrate for compliance. Applicant/accused be intimated immediately regarding order of bail through Superintendent, District Jail, Sangrur through e-mail. Police record be returned. Bail application file be attached with the remand papers, pending for 05.07.2025.

Pronounced.
Dated:01.07.2025.

Shama

Randhir Verma,
Judge (Special Court),
Sangrur.
(UID No.PB-0165)