

**IN THE COURT OF KULDIP KUMAR KAREER, JUDGE
SPECIAL COURT, LUDHIANA. UID NO. PB0042.**

BA No. 601 dated 26.11.2018
CNR No: PBLD010264012018

CIS No: BA/17219/2018

Date of Order: 6.12.2018

State

Versus

Jaswinder Singh aged about 26 years son of Sh. Mangat Singh resident of
village Rasulra P.S. Sadar, Khanna District Ludhiana.

.....Accused/Applicant.

FIR No.141 dated 21.9.2018

U/s 22/25/61/85 NDPS Act

P.S. City-2, Khanna

Application Under Section 439 Cr.P.C.

Present: Sh. Jagjeet Singh Aujla, Advocate, counsel for the
accused/applicant.
Sh. Puneet Jaggi Addl.P.P. for the State.

ORDER :-

1. This order shall dispose of bail application U/s 439 Cr.P.C
filed by applicant/accused, in the above noted case.

2. Upon notice, learned Addl.P.P for the State appeared, but no reply has been filed.

3. Police record has been perused and the arguments advanced by the learned counsel for the applicant/accused and learned Addl.P.P for the State have been heard.

4. Perusal of the police record reveals that as per the allegations in the FIR on 21.9.2018 applicant Jaswinder Singh alongwith his co accused Jatinder Singh and Sujad Singh was arrested by a police party headed by ASI Sukhwinder Singh of P.S.City-2, Khanna while they were traveling on motor cycle bearing registration no. PB10-DT-5384. Jaswinder Singh was driving the motorcycle while his co accused Jatinder Singh and Sujad Singh were sitting on the pillion. On seeing the police party one of the accused sitting on the pillion threw away a polythene from which subsequently 8600 intoxicating tables, 204 capsules of PARVAN SPAS and 190 tablets of Tarmosat were effected.

5. During the course of arguments, the learned counsel for the applicant/accused has contended that in this case the mandatory provisions of NDPS Act has not been complied with by the Investigating

Officer of this case. The search was also not conducted in proper manner. Report of FSL has not yet been received. Therefore, the concession of anticipatory bail should be granted to the applicant/accused.

6. I have considered the contentions raised by counsel for the applicant/accused and found the same being devoid of any force or substance. Prima facie it appears to be case of commercial quantity. Therefore, in the considered opinion of this court, no ground for granting concession of bail is made out. Accordingly, present bail application is hereby dismissed. Police record be returned. Bail file be attached with main file of the present matter.

Announced

Dated:6.12.2018

Deepak Spal, Stg-II

(Kuldip Kumar Kareer),
Judge Special Court,
Ludhiana. UID No.PB0042.