

PBFD010050432025



Presented on : 30-08-2025
Registered on : 30-08-2025
Decided on : 05-09-2025
Duration : 0 years, 0 months, 6 days

**In the Court of Shri Dinesh Kumar Wadhwa,
Judge, Special Court, Faridkot (UID-PB0445).**

BA/1753/2025 for Regular Bail

FIR No.182 dated 01.08.2025
U/S 22(b), 61, 85 of NDPS Act
Police Station Sadar Faridkot

Varinderjit Singh alias Billa, age around 37 years, son of Nirmal Singh,
resident of village Ghugiana, District Faridkot.

Versus

State

Present: Shri Manpreet Singh, learned Deputy Chief Legal Aid
Defence Counsel for the applicant/accused.
Shri S.K. Sachdeva, learned Additional Public Prosecutor for
the State.

ORDER
(Delivered on 05.09.2025)

- 1) The present application has been filed by aforesaid applicant/
accused seeking regular bail under Section 483 of BNSS, 2023 in the
subject captioned FIR.
- 2) Notice of the bail application was issued to the State. Shri
S.K. Sachdeva, learned Additional Public Prosecutor appeared to contest
the bail application. Record has been requisitioned.

3) Shri Manpreet Singh, learned Deputy Chief Legal Aid defence counsel has submitted that the latter has been falsely implicated in the present case by planting false recovery upon him. In-fact, nothing was recovered from the applicant/accused at the time of his arrest. The applicant/accused is in custody since 01.08.2025 and he is no more required for further investigation. Completion of the investigation and trial is likely to take a long time. Therefore, no useful purpose will be served by detaining the applicant in custody. With these submissions, he has prayed for the grant of concession of bail to the applicant/accused.

4) Per-contra, Shri S.K. Sachdeva, learned Additional Public Prosecutor for the State has opposed the bail application and prayed for dismissal of the same.

5) I have heard rival contentions of both the sides and perused the record.

6) The prosecution case in brief is that on 01.08.2025, ASI Karamjit Singh along with other police party was going from PS Sadar Faridkot towards village Pippli, Ariyanwala Kalan, Burj Masta, Ghugiana etc. in connection with patrolling duty and checking of suspects. At around 6:18 PM, when the police party was present near bridge minor canal in the area of village Burj Masta, accused was seen coming on foot and was apprehended on suspicion. After complying with the provisions of Section 50 of NDPS, search of the accused was conducted, which led to recovery of 30 loose intoxicant tablets from his possession. As per record, report of Chemical Examiner qua the contents of above said

recovered contraband has not been received so far. The applicant/accused seeks his release on bail or in the alternative interim bail as report of chemical examiner has not been received so far. Hon'ble Punjab and Haryana High Court in *Inderjit Singh @ Laddy vs State of Punjab 2014(3)-RCR (Criminal)-page 952*, has been pleased to hold that if matter is being unnecessarily delayed due to non-receipt of FSL Report, Special Court may release applicant/accused on interim bail till receipt of report of chemical examiner. The applicant/accused is in custody since 01.08.2025. As per ASI Raj Singh, report of FSL has not been received till date. So, until the report of FSL is received, it cannot be ascertained as to whether recovery effected in the present case falls within commercial quantity or non-commercial. The receipt of report of FSL and conclusion of investigation will take sufficient long time. Hence, no useful purpose would be served by keeping the accused further in custody for an indefinite period. Though the applicant/accused has already been convicted under NDPS Act, but the same is no ground to deny the bail to him. Consequently, without expressing opinion upon the merits of the case, in the light of above discussed law, applicant/accused is ordered to be released on interim bail till the receipt of report of FSL on his furnishing personal bond in the sum of Rs.30,000/- with one surety of like amount subject to following conditions that he shall surrender himself before the court on receipt of the report of chemical examiner; that he shall attend Court on each and every date of hearing; that he shall not commit an offence similar to the offence of which he is accused, or

suspected, of the commission of which he is suspected; that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the 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 and that he shall not leave the country without prior permission of Court.

7) However, it is made clear that if on receipt of the report of the chemical examiner, the quantity of recovered substance falls under the commercial quantity under the Act, this order shall be deemed to have come to an end automatically and the applicant has to surrender in the court and will be taken into the custody, without any further order of cancellation of his interim bail. The bail application stands disposed of accordingly.

8) Police record be returned and record of present bail application file be tagged with the pending remand papers.

Pronounced in the Open Court:
Dated 05.09.2025.

(Dinesh Kumar Wadhwa),
Judge, Special Court,
Faridkot (UID:PB-0445).

Sneh Lata,
Stenographer Grade-1

Varinderjit Singh Billa vs. State of Punjab

Present: Shri Manpreet Singh, learned Deputy Chief Legal Aid
Defence Counsel for the applicant/accused.
Shri S.K. Sachdeva, learned Additional Public Prosecutor for
the State.

Record received. ASI Raj Singh appeared on behalf of IO
ASI Karamjit Singh and has submitted a statement that FSL report has not
been received so far and requested for an adjournment. As per ASI Raj
Singh, applicant/accused has already been convicted in case FIR no.75
dated 03.07.2015, under Section 21 of NDPS Act, PS Sadar Faridkot.

Arguments heard. Vide my separate detailed order of even
date, bail application filed by applicant/accused has been allowed, as
detailed therein. Bail application file be tagged with the pending
remand papers.

Pronounced in the Open Court:
Dated 05.09.2025.

(Dinesh Kumar Wadhwa),
Judge, Special Court,
Faridkot (UID:PB-0445).

Sneh Lata,
Stenographer Grade-1