

**In the Court of Jaspal Verma,
Judge, Special Court, Kapurthala. (UID No. PB0136)**

CNR No. PBKP010004312023



Case No. BA/178/2023

Presented on : 25-01-2023
Registered on : 25-01-2023
Decided on : 01-03-2023

FIR No.277 dated 12.10.2022
 Under section 21/22/29/61/85 of NDPS Act.
 Police Station Sultanpur Lodhi, District Kapurthala.

Jaspal Kaur @ Suman aged about 33 years wife of Sarabjit Singh @ Babbi, resident of village Seich, P.S.Sultanpur Lodhi, District Kapurthala.

.....Accused/applicant.

Versus

State of Punjab.

.....Respondent.

Bail application under Section 438 CrPC.

Present: Sh. Sukhminder Singh, Advocate for the
 applicant/accused.
 Ms. Meetu Sheanhmar, Addl. PP for the State.

ORDER

1) Heard on the application for grant of bail under Section 438 CrPC filed by the applicant/accused Jaspal Kaur @ Suman wife of Sarabjit Singh @ Babbi in this case bearing FIR No.277 dated 12.10.2022, under section 21/22/29/61/85 of NDPS Act, Police Station Sultanpur Lodhi, District Kapurthala, on the ground that the police of P.S. Sultanpur Lodhi has registered a false case against the applicant-accused. Name of the applicant-accused is not mentioned

in the FIR. The police is trying to involve the applicant-accused in the present case on the basis of disclosure statement of co-accused and vide rapat No.32 dated 5.11.2022. Nothing is to be recovered from the possession of the applicant-accused. There is no direct or indirect evidence against the applicant-accused to connect her with the commission of alleged crime. She is ready to join the investigation with the police. The police is out to arrest her and so, she be released on anticipatory bail.

2) Notice of the bail application was given to the State and APP appeared on its behalf. The application is opposed by Addl. PP for the State on the ground that the allegations in the application are false. The applicant cannot be granted anticipatory bail in this case because offence is very serious in nature. So, she has prayed that the bail application be dismissed as origin of intoxicant material is to be ascertained.

3) I have heard counsel for the applicant, Addl. PP for the State and have gone through the police record produced by ASI Daljit Singh from PS Sultanpur Lodhi, District Kapurthala carefully.

4) As per the story of prosecution on 12.10.2022, SI Arjan Singh alongwith his police party apprehended accused Nirmal Singh @ Bagga and from the conscious possession of said accused, 1000 intoxicant tablets were recovered kept by him without any permit or licence.

5) Perusal of the file reveals that earlier the present case under Section 22/61/85 of NDPS Act was registered against the

accused Nirmal Singh @ Bagga. During investigation, accused Nirmal Singh @ Bagga made a disclosure statement before the police that he has purchased the abovesaid intoxicant tablets from the applicant-accused Jaspal Kaur @ Suman. Thereafter, the applicant-accused Jaspal Kaur @ Suman was nominated in the present case on the basis of disclosure statement made by main accused Nirmal Singh @ Bagga and offence under Section 29 of NDPS Act was added in the present case vide DDR No. 32 dated 5.11.2022. So, the allegations against the applicant/accused Jaspal Kaur @ Suman are serious in nature and origin from where the applicant/accused had procured the said intoxicant tablets is also required to be traced. Therefore, custodial interrogation in respect of the applicant/accused is required. As such, in my view, in these circumstances of the case, no ground is made out to release the applicant/accused on anticipatory bail under the provisions of section 438 Cr.P.C. Accordingly, the present anticipatory bail application filed by the applicant-accused Jaspal Kaur @ Suman stands dismissed. Police record be returned. Bail application file be attached with the main file/remand papers.

**Pronounced in open Court
Dt.01.03.2023
(Abhika Rawat)**

**(Jaspal Verma),
Judge, Special Court,
Kapurthala (UID No.PB0136)**

Jaspal Kaur @ Suman Vs. State

CNR No.PBKP010004312023

Bail application No.178/2023

Present: Sh. Sukhminder Singh, Advocate for the
applicant/accused.
Ms. Meetu Sheanhmar, Addl. PP for the State.

Arguments heard on the bail application. Vide my
separate and detailed order of even date, the bail application filed by
the applicant/accused ***Jaspal Kaur @ Suman*** has been dismissed.
Police record be returned. Bail application file be attached with the
main file/remand papers.

Pronounced in open Court
Dt.01.03.2023
(Abhika Rawat)

(Jaspal Verma),
Judge, Special Court,
Kapurthala (UID No.PB0136)