

**In the court of Kewal Krishan,
Judge, Special Court, Ferozepur (UID No.PB-0182).**

Case Type	Bail Application
CIS No.	BA/170/2025
CNR No.	PBFZ010004572025
Date of order	23.01.2025

Rajpal Kaur aged 30 years wife of late Lakhvir Singh, resident of village Mudki, Police Station Ghall Khurd, District Ferozepur.

.....Applicant/Accused.

Versus

State of Punjab.

.....Respondent.

**FIR No.188 dated 06.12.2024.
U/S: 21 of the Narcotic Drugs & Psychotropic
Substances Act, 1985.
Offence U/s 29 of this Act was added later on.
Police Station Special Task Force, Phase-4,
Mohali.**

Application for grant of regular bail.

Present Sh. M.L. Mehmi Advocate counsel for the applicant.
 Sh. Kuldeep Sahni Addl. Public Prosecutor for the State.

ORDER

1. The accused/applicant has filed the instant application seeking regular bail. Record of investigation is produced.

2. Arguments are heard. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. No recovery has been effected from her. In fact, the alleged recovery was effected from one Harpreet Singh @ Baba son of Gurcharan Singh with whom her son was working. On 06.12.2024, said Harpreet Singh called her at his residence, from where she was arrested by police and false recovery was planted upon her at the instance of Harpreet Singh. Learned counsel further argued that the mandatory provisions of NDPS Act have not been complied in this case. The applicant is in custody since 06.12.2024. Completion of investigation, presentation of challan and conclusion of trial will take long time. No useful purpose would be served by detaining her any more in custody. The applicant undertakes to abide by the conditions, if imposed by this Court and she may kindly be granted concession of regular bail.

3. On the other hand, learned Addl. Public Prosecutor for the State has hotly contested the application and has submitted that in this case, the recovery of intoxicating substance in this case falls under the commercial quantity, so the applicant is not entitled to get concession of regular. His bail application deserves dismissal.

4. This Court has heard the learned counsel for the applicant, learned Addl. Public Prosecutor for the State and perused the record. As per prosecution version, on 06.12.2024, on the basis of secret information, applicant/accused Rajpal Kaur was apprehended by the police party and 265 gram Heroin was recovered from her conscious possession. The recovery was effected in the presence of DSP Ajay Kumar. Subsequently, on the basis of disclosure statement suffered by the applicant/accused, one Harpreet Singh @ Baba son of Gurbachan Singh was nominated and offence punishable under Section 29 of the NDPS Act was added.

5. As the recovery effected from the applicant/accused falls in the category of commercial quantity, the stringent provisions of Section 37 of the said Act are attracted. Therefore, the applicant is not entitled to get concession of regular bail. Her bail application deserves dismissal and the same stands dismissed. File of bail application be attached with remand papers.

Announced in open court.

Dated : 23.01.2025.

anil kumar

Stenographer Grade-I

sd/-

(Kewal Krishan)

Judge, Special Court, Ferozepur
(UID No. PB0182)