

Deepak Kumar versus State of Punjab

Present: Sh. Kewal Singh, Deputy Chief Legal Aid Defense Counsel for applicant/accused Deepak Kumar.
Sh. Tejinder Pal, Ld. Additional Public Prosecutor for State along with SI Ramesh Lal No. 595/GSP Police Station Behrampur.

ORDER

1. This order of mine shall dispose of an application filed by applicant/accused Deepak Kumar son of Narinder Kumar, resident of village Gopal Nagar P.S. City Gurdaspur, District Gurdaspur, under Section 483 of BNSS for regular bail.

2. Brief facts of the case are that FIR No.128 dated 15.12.2025 under Section 21 (b) of NDPS Act was registered at Police Station Behrampur on the ground that accused Deepak Kumar was arrested on 15.12.2025 and 6 grams of Heron has been recovered from his possession.

3. Learned Additional Public Prosecutor has put in appearance on behalf of State. SI Ramesh Lal No. 595/GSP Police Station Behrampur produced police record and his statement has been recorded regarding stage of investigation.

4. Allegations against the applicant/accused Deepak Kumar are that he was arrested on 15.12.2025 and 6 grams of Heroin has been recovered from his possession. Statement of SI Ramesh Lal No. 595/GSP Police Station Behrampur has been recorded regarding stage of investigation. FSL report is yet to be received. Though it is argued by learned Additional Public Prosecutor that the applicant/accused is involved in some other cases, but every case is to be evaluated on its own facts and merits. 6 grams of heroin recovered from the applicant/accused is marginally above the small quantity. Applicant/accused Deepak Kumar has spent sufficient time behind the bars since 15.12.2025. Presentation of challan and conclusion of the trial will take sufficient time and no useful purpose would be served by detaining the applicant/accused behind bars for indefinite period, rather, it will be burden on state exchequer.

5. In view of above said discussion, the instant application for regular bail filed by applicant-accused is hereby allowed and applicant/

accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of learned Ilaqa/Duty Magistrate subject to the following conditions:-

- i. That he shall attend the Court on each and every date of hearing:
- ii. That he will not leave India without prior permission of the trial Court;
- iii. That he shall not directly or indirectly make any inducement, threat or promise to any person acquaintance with 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.
- iv. That applicant-accused shall not indulge in any activity similar to the activities on the basis of which aforesaid criminal case stood registered against him for the offences under the NDPS Act.
- v. It is to clear that in case there is any recurrence /repetition on the part of the applicant involving him similar nature of offence, then the state would be at liberty to move an application for recalling/ cancelling this order granting bail.
- vi. The grant of bail is conditioned upon accused/applicant's diligent participation in the trial. This includes, but is not limited to, the timely cross-examination of witnesses and adherence to the Court's schedule. Failure to comply with these conditions, including any deliberate delay in proceedings may result in the cancellation of bail and the accused/applicant would be sent to judicial custody.

6. However, it is made clear that observations made herein above shall not be construed as an expression on the merits of the main case. Copy of this order be sent to the learned Ilaqa Magistrate as well as Superintendent, Central Jail, Gurdaspur for information. Police record be returned and bail application file be tagged with the remand papers.

Pronounced
08.04.2026.
Rajeev Gupta, Stenographer-1

(Ranjeev Pal Singh Cheema),
Judge, Special Court,
Gurdaspur(UID No. PB0294)