

**IN THE COURT OF SH. BIKRAMJIT SINGH, ADDITIONAL SESSIONS
JUDGE, BARNALA. (UID NO. PB0224)**

BA No.1719-2025

CNR No.PBBR01-004741-2025

Date of Institution : 13.10.2025

Decided on: 01.11.2025

**Sucha Singh, alias Billa, son of Dhanna Singh, resident of Adda Basti,
village Pakho Kalan, District Barnala.**

.....Applicant

versus

State of Punjab

.....Respondent

FIR No.97, dated 17.09.2025

U/ss 22, 29, NDPS Act, 1985,

Police Station : Rureke Kalan.

Bail application under Section 483, BNSS, 2023

Present: Sh. Baldev Singh, Advocate, for the applicant-accused-Sucha
Singh, alias Billa.

Sh. Dilpreet Singh, Addl. PP for the State.

ORDER

This order of mine shall dispose of above mentioned bail
application moved by applicant-accused-Sucha Singh, alias Billa in the above
noted case for grant of regular bail under section 483 of the BNSS, 2023.

2. Notice of bail application was issued to the respondent-State and
learned Addl. PP for the State has put in appearance. Record of investigation

received and perused.

3. I have heard the learned counsel for the bail applicant, learned Addl. PP for the State and also perused the record.

4. Succinctly stated as per the prosecution version, on dated 17.09.2025, Manjit Singh SI, along with fewer other police officials, was present at Bus Stand, village Pakho Kalan, Barnala for the purpose of patrolling and checking of suspicious persons. It was about 04:15 P. M., Manjit Singh SI received a tip-off to the effect that Gurmeet Singh, alias Mota and one Sucha Singh, alias Billa are indulged in selling intoxicant tablets/intoxicant capsules. If they are searched for within the areas of Link Road and Dirt Path of villages- Pakho Kalan, Bhaini Fatta instantly, then, they can be apprehended red-handed.

Finding the information reliable, Manjit Singh SI sent a ruqa through Manpreet Kaur Constable to Police Station Rureke Kalan for the purpose of registration of an FIR under Section 22 of the NDPS Act, 1985 against Gurmeet Singh, alias Mota and Sucha Singh, alias Billa. Thereafter, Manjit Singh SI, along with a police party, reached bridge of drain, village Bhaini Fatta and spotted two persons sitting under the banyan tree rummaging a polythene bag. The persons on seeing the police party got perplexed. The duo were apprehended by the police party. The persons upon enquiry identified themselves as Gurmeet Singh, alias Mota and Sucha Singh, alias Billa (applicant-accused). After complying with mandatory provisions of the NDPS Act, 1985, the search of the polythene bag in the possession of the applicant-accused-Sucha Singh, alias Billa and his co-accused-Gurmeet Singh, alias Mota got conducted, which resulted into recovery of 2 strips of intoxicant capsules,

labelled PROXYWEL SPAS, each strip containing 8 capsules, 16 capsules in total, therefrom. The applicant-accused-Sucha Singh, alias Billa and his co-accused-Gurmeet Singh, alias Mota were arrested into the present case.

During the investigation, one Arshdeep Singh, alias Moni was nominated as an accused into the matter of the present case and the offence punishable under Section 29 of the NDPS Act, 1985 was added to the FIR, vide G. D. No.19 dated 25.09.2025. The co-accused-Arshdeep Singh, alias Moni was arrested into the matter of the present case on dated 29.10.2025.

A representative sample of the intoxicant capsules, allegedly recovered from the possession of the applicant-accused-Sucha Singh, alias Billa and his co-accused-Gurmeet Singh, alias Mota, has been sent to the RTFSL, Bathinda, Punjab for chemical analysis purpose. The requisite FSL report is yet to be awaited.

5. Learned counsel for the applicant-accused has vehemently contended that the applicant-accused is the quite innocent person and has been falsely implicated in this case. The prosecution allegations are totally false and frivolous. The FSL report in regard to the contraband allegedly recovered from the possession of the applicant-accused is not received so far. In such a situation, it is not possible to comment upon the nature of the contraband allegedly recovered from the possession of the applicant-accused. The applicant-accused is in custody since 17.09.2025. He further submitted that presentation of challan and thereafter conclusion of trial may take considerable time and no useful purpose would be served by detaining the applicant-accused further behind the bars. The applicant-accused will

abide by all the terms and conditions as imposed by this Court. Lastly, a prayer for grant of regular bail during the pendency of the present bail application or in the alternate a prayer for grant of interim bail to the applicant-accused till receipt of report of chemical examiner has thus, been made.

6. On the other hand, learned Addl. PP for the State has opposed the bail application on the ground of seriousness of the offences and a prayer for dismissal of bail application has thus, been made.

7. After giving thoughtful consideration to the rival contentions and after going through the record, this Court is of the considered view that the applicant-accused is entitled for interim bail at this stage. As per prosecution allegations, the applicant-accused-Sucha Singh, alias Billa and his co-accused-Gurmeet Singh, alias Mota on dated 17.09.2025 had in their conscious possession 2 strips of intoxicant capsules, labelled PROXYWEL SPAS, each strip containing 8 capsules, 16 capsules in total, as detailed above. The applicant-accused is in custody since 17.09.2025. Challan of the case has not been presented so far and even report of chemical examiner has not been received so far. Unless and until report is received from the office of Chemical examiner, content of contraband cannot be determined and at present applicant-accused is in judicial custody merely on the basis suspicion of investigating officer that material recovered from applicant-accused is some narcotic or psychotropic substance. In these circumstances, it would not be proper and justified to keep the applicant-accused in custody for an indefinite period till the report of chemical examiner is received. In

this regard, I find support from the law laid down by Hon'ble High Court of Punjab & Haryana in case titled as "**Inderjit Singh @ Laddi Vs. State of Punjab 2014 (3) RCR (Criminal) 953**". In view of my discussion above and law laid down by Hon'ble Punjab and Haryana High Court, it is a fit case where interim bail should be granted to the applicant-accused. Accordingly, applicant-accused is ordered to be released on **interim bail** on furnishing bail bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of Illaqa/duty Magistrate with the following conditions:

- i) That the applicant-accused shall remain present before the court on each and every date of hearing.
- ii) That the applicant-accused shall not leave India without the prior permission of the court.
- iii) That the applicant-accused shall not influence or intimidate any of the prosecution witnesses in any manner whatsoever.
- iv) That the applicant-accused shall not commit similar offence in future.
- v) That this order of interim bail is subject to the result of the chemical examiner.

It is further made clear that if, on receipt of report of Chemical Examiner/Forensic Science Laboratory, quantity of recovered contraband is found to be of commercial quantity under the NDPS Act, 1985, the relief of interim bail will come to an end automatically and accused has to be surrender in the Court and will be taken into custody, without any further order of cancellation of his interim bail. Accordingly, the present bail application is disposed of. Police record be returned. Bail application file be attached with the

connected papers.

Pronounced in open Court on
01st day of November, 2025.

Gurdit Singh

JW Grade-II

(Bikramjit Singh),
Judge, Special Court,
Barnala.

(UID No.PB0224)