

***IN THE COURT OF SH.AMAR JEET SINGH
JUDGE, SPECIAL COURT
UID NO.PB0444
FATEHGARH SAHIB.***

***Bail application no.235/2020
CNR No:PBFG010009092020
Decided on:18.03.2020***

Mukand Khan aged 35 years son of Sh.Shivrati Khan resident of Village Uchhi Rurki, P.S.Amloh, Tehsil Amloh and District Fatehgarh Sahib, Punjab India and now confined to New Jail Nabha, Punjab, India.

.....Applicant

V E R S U S

State of Punjab

.... Respondent

***FIR No.104 dated 06.08.2019
Under Sections 15/18/22/25/61/85 NDPS Act
PS Amloh***

Application for regular bail U/s 439 of Cr.PC

Present: Sh.Amandeep Bawa Advocate for the applicant
Sh.Charanjit Singh Addl. PP for the State

ORDER

1. This order of mine shall dispose of the regular bail application in FIR No. 104 dated 06.08.2019, under Sections 15/18/22/25/61/85 NDPS Act, PS Amloh.
2. As per FIR, poppy husk, Opium and intoxicant powder were recovered from the conscious possession of the accused.

3. On notice, learned Addl.PP for the State appeared alongwith the record file and vehemently contested the bail application. Ld. Counsel for the State submitted that recovered contraband falls in the slab of commercial quantity.
4. The learned counsel for the applicant stated that a false case has been foisted against the applicant and he has no concern or connection with the present case. Learned counsel for the applicant submits that accused is in custody since 06.08.2019.
5. I have gone through the record of the case.
6. Perusal of the record shows that five sacks of poppy husk each sack contains 22 KGs of poppy husk (total 1 Quintal 10 KGs) and 10 Kgs of intoxicant powder was recovered from the conscious possession of the accused. The recovery falls under commercial slab. The Court cannot be oblivious to the fact that the drug menace have become a national scandal that's tearing lives and family apart. It is leaving grieving families in village after village struggling with age, sadness and anxiety. There is a impending need to choke the supply chain and drug trafficking has assumed alarming proportion so no leniency should be shown. Moreover, the recovery is commercial in quantity and as per the bar under Section 37 of the NDPS Act that where the recovery is commercial in nature, accused is not entitled to bail. In view of the facts and circumstances, no ground is made out for grant of bail to the applicants and accordingly, bail

application stands declined. The copy of this order alongwith the bail application be attached with the main case.

(Amar Jeet Singh)
Judge, Special Court
UID No.PB0444
Fatehgarh Sahib.