

In the Court of Sh. Gurmohan Singh,
Judge, Special Court, Mansa.
(UID No.PB-0573).

PBMN010047022025



Presented on : 24-09-2025
Registered on : 24-09-2025
CIS No. : BA/1716/2025
Decided on : 30.09.2025

State of Punjab

Versus

Sukhwinder Singh alias Pindu son of Harbans Singh resident of Village Bajewala, Tehsil Sardulgarh, District Mansa, now confined in District Jail, Mansa.

...Applicant/accused.

Ist Application for bail under Section 483 BNSS.

Present: Sh. Kulwinder Singh Sidhu, Advocate, counsel for applicant-accused.
Ms. Deep Inder, Addl. PP for the State.

ORDER

1. The present regular bail application has been filed by accused/ applicant Sukhwinder Singh alias Pindu under the provisions of Section 483 BNSS, in FIR No.67 dated 26.08.2025 under Section 21 & 27 of NDPS Act, registered at Police Station, Jaurkian.

Gurmohan Singh
Judge, Special Court,
Mansa.

2. Notice of the bail application has been issued to the State. Learned Additional Public Prosecutor for the State has appeared. Police record has been produced.

3. Learned counsel for the applicant submits that applicant/accused is innocent and has been falsely implicated in the present case. Further submits that nothing intoxicant substance has been got recovered from the possession of the present applicant/accused and the alleged recovery shown to be effected is the planted one. Further submits that applicant/accused is behind the bars since 26.08.2025. Further submits that completion of investigation will take sufficient long time and thus, prays that present bail application may kindly be allowed or in the alternative, interim bail may kindly be granted.

4. Learned Additional Public Prosecutor for the State submits that in the present case applicant/accused along with other co-accused Satnam Singh has been apprehended by the police and from their conscious possession i.e. polythene thrown by them, 6 grams of Heroin has got recovered. Further submits that co-accused Satnam Singh has been found to be positive in the dope test and offence under Section 27 of NDPS Act has been added. Further submits that till date chemical examiner report has not been received. Further submits that there is no other FIR registered against the applicant/accused. Further submits that the offence committed is serious in nature and thus, prayed that present bail may kindly be dismissed.

5. After hearing learned counsel for applicant and learned Additional P.P for the State and perusal of the record, it reflects that in the present case police party was on routine patrolling and they saw two persons i.e. present applicant/accused and other co-accused Satnam Singh searching something in the polythene envelope and the said polythene thrown which was found to be containing 6 grams of Heroin. Thereafter, vide rapat No.39 dated 27.08.2025 offence under Section 27 of NDPS Act has been added as co-accused Satnam Singh was found to be positive in the dope test. It is the fact that applicant/accused is behind the bars since 26.08.2025 and till date chemical examiner report has not been received till date and there is no other FIR registered against the applicant/accused, so, in the light of law laid down by the Hon'ble High Court in case titled as ***"Inderjit Singh @ Ladi vs State of Punjab"*** the applicant /accused is ordered to be released on interim bail till receiving of chemical examiner report, subject to furnishing of bail bond in the sum of ₹50,000/- with one surety in the like amount before the Ld. Illaqa/Duty Magistrate, to its satisfaction, with the directions to learned Illaqa/Duty Magistrate that the bail bonds/requisite papers be sent back immediately to the present court/trial court and further subject to the condition that applicant/accused will neither leave the country without prior permission of the court nor applicant/accused will tamper with the evidence nor will put pressure on the witnesses of the prosecution and will appear on each and every date of hearing of the court. However, it is made clear that this

order of interim bail is subject to the result of report of Chemical examiner and it is further clarified that if the alleged recovery comes out to be commercial quantity, then this bail order would automatically be vacated and bail bond and surety bond would be forfeited to the State and if the quantity comes out to be non commercial, then this bail order would be confirmed and bail bond and surety bond would also be considered. Accordingly, the present bail application is disposed-of.

6. In light of the directions issued by the **Hon'ble Apex Court in case SMWP (Criminal) 4/2021, in Re: policy strategy for grant of bail, decided on 25.07.2023**, directions are issued to the Ahlmad to send the soft copy of bail order through official email ID to the prisoner through the Superintendent, District Jail, Mansa. Ahlmad is directed to attached the application with the remand papers.

Dated : 30.09.2025

(Gurmohan Singh)
Judge, Special Court,
Mansa.
(UID No. PB0573)

Sachin Kumar, stenographer Gr. II

Present: Sh. Kulwinder Singh Sidhu, Advocate, counsel for applicant-accused.
Ms. Deep Inder, Addl. PP for the State.

Ld. Counsel for the applicant/accused moved an application for addition of offence under section 27 of NDPS Act in the bail application. As the offence under section 27 of NDPS Act has been added lateron, so, present application is hereby allowed. Reader of this court is directed to make necessary addition in the head note of the bail application.

Police record received. Arguments heard. Vide my separate order of even date, the accused/applicant is allowed to be released on interim bail, as detailed therein. Police record be returned. Ahlmad is directed to attached the application with the remand papers.

Dated : 30.09.2025

(Gurmohan Singh)
Judge, Special Court,
Mansa.
(UID No. PB0573)

Sachin Kumar, stenographer Gr. II