

**IN THE COURT OF VIKRANT KUMAR,  
JUDGE, SPECIAL COURT,  
MOGA (UID No.PB00213).**

CNR No.PBMO010004502023.

CIS Filing No.BA/169/2023.

Date of order : 3.02.2023.

State          Versus          Partap Singh son of Mehal Singh, resident of  
Village Kadarwala, Tehsil Dharamkot, District  
Moga.

----Applicant-accused

FIR No.186 dated 25.12.2022.

Under Sections : 21 NDPS Act

Police Station : Kot Ise Khan.

**Bail Application under Section 439 Cr.P.C.**

Present :- Shri Sahib Singh, Additional Public Prosecutor for State.  
Shri Kuldeep Singh Gill, Advocate for accused-applicant Partap  
Singh.

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**ORDER**

The brief facts of the case, which require consideration for disposal of the present bail application are that present FIR has been lodged on the ground that applicant-accused along with co-accused Harbhajan Singh @ Bhajan son of Balvir Singh was apprehended by ASI Kewal Singh on 25.12.2022, when they were riding on black colored Hero Splendor motorcycle bearing No.PB-02/BJ-2211 and 50 grams Heroin wrapped in white colored polythene envelop had been recovered from motorcycle, without any permit or license. He was arrested at the spot. Hence, accused-applicant has filed the present bail application.

2. I have heard learned counsel for the applicant-accused as well as learned Additional Public Prosecutor for the State.

3. Present FIR was lodged against Harbhajan Singh @ Bhajan son of Balvir Singh and Partap Singh son of Mehal Singh. 50 grams Heroin had been recovered from motorcycle bearing No.PB-02/BJ-2211, on which, applicant-accused along with co-accused was riding. Said recovery falls within the ambit of non-commercial quantity. Presentation of challan and its conclusion thereof will take considerable time. No useful purpose will be served by further detention of accused-applicant. Co-accused Harbhajan Singh @ Bhajan has already been granted concession of bail. Thus, Principle

of Parity applies in the present case. As such bail application filed by accused-applicant Partap Singh is allowed and he is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.1,00,000/- with one surety in the like amount, subject to following conditions :-

1. That he shall attend the court on each and every date of hearing;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the or to any police officer or tamper with the evidence;
3. That he shall not leave the country without prior permission of court;

File be tagged with remand papers.

Pronounced.  
Dated :- 3.02.2023.

Jagjit Singh Panesar, Stenographer-I

**(Vikrant Kumar)**  
**Judge, Special Court,**  
**Moga (UID No.PB00213).**