

PBGD010040492025



Presented on : 25-04-2025
Registered on : 25-04-2025
Decided on : 01-05-2025
Duration : 0 years, 0 months, 6 days

**IN THE COURT OF
JUDGE SPECIAL COURT,
AT Gurdaspur
(Presided Over by Sh. Raman Goklaney)**

BA/1699/2025

Ravinder Singh @ Rinku son of Balwinder Singh, resident of Village Shahpur Jajan, PS Dera Baba Nanak, District Gurdaspur.

..... Applicant/accused

versus

State of Punjab

.....Respondent.

First Application for bail u/s 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail.

FIR No. 26 dated 21.03.2025.

Under Sections : 21, 22, 27-A & 29 of NDPS Act.

Police Station : Dera Baba Nanak, Police District Batala, District Gurdaspur.

Present : Sh. H.S.Lakhanpal, Advocate, counsel for applicant.
Sh.Amit Aulakh, Additional Public Prosecutor for State.

ORDER:

1. This order shall dispose off the first bail application preferred under the provisions of Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail filed by accused-applicant in case

Raman Goklaney,
Judge Special Court, Gurdaspur
Dated : 01.05.2025
UID No PB0687

FIR No. 26 dated 21.03.2025 under Sections 21, 22, 27-A and 29 of NDPS Act, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

2. This Court noticed the facts of the case while deciding the bail application of co-accused Ramandeep Singh in bail application No. BA-1361-2025.

“Facts necessary for disposal/consideration of the present bail application are that FIR in question registered on the statement of Inspector Satpal Singh, who stated that he accompanied by police party were patrolling in the area falling within the jurisdiction of Police Station Dera Baba Nanak and when the police party reached near Gurdwara Sahib of Village Padde, then one young man was seen coming, who was carrying a heavy poly bag in his hand by the police party, who after seeing the police party got perplexed and tried to throw the polythene bag, however, Inspector with the help of accompanying police officials apprehended him and it is the case of the prosecution/Investigating Agency that after following the proper procedure for search and seizure, 437 intoxicant tablets, 530 intoxicant capsules, 54 grams of Heroin besides Rs. 3.8 lacs drug money, computerized weighing scale, 02 mobile phones and one QR Scan Code recovered from suspect/accused Kawaljit Singh. It is the case of the Investigating Agency that the said Kawaljit Singh disclosed that he is having association with Ramandeep Singh, Ravinder Singh and Ashish (juvenile) on the basis of disclosure statement, the said three persons nominated in the FIR in question and Section 29 of NDPS Act also enhanced.

The present accused-applicant arrested on 21.03.2025, however, nothing incriminating has been recovered from the accused-applicant during his police remand. On specific query by the Court during the course of hearing regarding any other material in the form of bank account details or money details linking the present accused-applicant with co-accused Kawaljit Singh and to the said query it has been responded that till date, no such material has been obtained by the Investigating Agency from which the connection/ link of present accused-applicant with co-accused Kawaljit Singh who has been arrested with contraband could be established, part from the disclosure statement”.

3. Sh. H.S.Lakhanpal, Advocate, learned counsel for the accused-applicant submitted that false case has been foisted upon the accused-applicant and apart from disclosure statement, there is no incriminating material against the accused-applicant. Learned counsel next submitted that accused-applicant is having clean antecedents and he is facing incarceration since 21.03.2025 and completion of investigation and conclusion of trial will take considerable time. With these submissions prayer is made for grant of regular bail.

4. Per contra, Sh.Amit Aulakh, Learned Addl.P.P. for the State opposed the bail application and submitted that accused-applicant is involved in heinous offence under narcotic Act which has far reaching effect on the society. With these submissions, prayer is made for dismissal of the bail application.

5. After hearing the rival contentions of the parties and from the perusal of the record, it emerges out that co-accused Ramandeep Singh who is similarly situated as that of present accused-applicant has already been granted concession of bail vide order dated 17.04.2025 passed in BA-1361-2025. Further about one and half month has lapsed, no material has been collected by the Investigator from which it could be cogently and strongly established that present accused-applicant is having any connection with co-accused Kawaljit Singh who has been apprehended with alleged intoxicant substance. Completion of investigation and conclusion of trial would take considerable long time and keeping the accused-applicant behind the bars for indefinite period would not serve any purpose. So, under these circumstances, the present application for regular bail filed by applicant-accused is hereby allowed and accused-applicant is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount subject to the following conditions:-

- i. 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.
- ii. That applicant-accused shall not undertake any action which is prejudicial to proceedings during the course of trial.
- iii. That applicant-accused shall attend all the dates during the trial unless prevented by any reasonable cause.
- iv. That applicant-accused neither personally nor through anyone make any attempt to influence the witnesses or tamper with the evidence.

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v. That applicant-accused shall not leave India without the prior permission of the Court.

vi. 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.

vii. 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. Police record be returned and bail application file be tagged with the remand papers pending in this Court.

Pronounced in open Court.

On 01.05.2025.

**(Raman Goklaney)
(UID No PB0687)
JUDGE SPECIAL COURT,
Gurdaspur.**

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**Raman Goklaney,
Judge Special Court, Gurdaspur
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