

**IN THE COURT OF JAAPINDER SINGH
JUDGE, SPECIAL COURT, FAZILKA.
(UID NO.PB0235)**

Case Details

Case Type	BA
Regn. No.	BA-1690-2023
CNR No.	PBFZC000-4387-2023
Date of order	14.08.2023.

Gurnam Singh aged 45 years son of Dalip Singh resident of village Mahalam, Arif Ke, Tehsil and District Fazilka..

...Applicant.

Versus

State of Punjab

...Respondent.

FIR No.73 dated 10.07.2023
U/s. 15 of NDPS Act.
Police Station Bahav Wala

Bail application Under Section 439 Cr.PC.

Present: Sh.S.S.Gumber, Advocate counsel for applicant.
Sh. Gurbaj Singh, Additional PP for the State.

ORDER:

1. Present application filed on behalf of applicant-accused Gurnam Singh, seeking regular bail in the matter, details of which have been referred above, shall be disposed of through this order.
2. Learned Additional Public Prosecutor has appeared on

behalf of the State today upon notice in the application, but he has not sought to file any written reply to the application and has opposed/contested the same orally. Police record of the matter has been produced by ASI Kala Singh, No. 936/FZK, Police Station Bahav Wala.

3. Arguments of learned counsel for the applicant-accused and of learned Additional PP for the State have been heard in the matter and record of the matter has been perused.

4. The facts of the matter, as per contents of the FIR and other documents/papers, are that 5 Kg Poppy husk was recovered from possession of applicant-accused on 10.07.2023. As per the statement of ASI Kala Singh, no previous FIR was registered against the applicant-accused. Applicant-accused is in custody since the date of his arrest i.e. 10.07.2023. The quantity of contraband in question falls within the ambit of non-commercial category. In considered opinion of this court, completion of investigation and trial in the matter shall take considerable time and no useful purpose would be served by continued detention of applicant-accused in custody and such detention is an avoidable burden on the State exchequer. Requisite, recovery has already been effected from the applicant-accused. Accordingly, applicant-accused Gurnam Singh is admitted to bail on his furnishing bail bonds/ surety bonds in sum of Rs. 25,000/- with one surety in the like amount to the satisfaction of trial court/Illaqa/Duty Magistrate, subject to the following conditions:-

1. That the applicant shall attend the court on every date of hearing.
2. That the applicant shall not commit an offence similar to the offence of which he is accused.

3. That the applicant shall no 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 court or to any police officer and shall not temper with the evidence in the matter.
4. That the applicant shall no leave the country without prior permission of the court.

Bail application be attached with the remand papers.

Pronounced in open Court.

Dated:14.08.2023.

David Paul Steno Gr.II

(Jaapinder Singh),
Judge, Special Court,
Fazilka : UID no.PB0235