

IN THE COURT OF MANDIP SINGH DHILLON, JUDGE, SPECIAL COURT, MANSA.

Case Type : BA (Bail Application)
CIS Case No. : BA/1429/2022
CNR No. : PBMN010043272022
Date of registration : 21.10.2022
Date of Decision : 09.11.2022

State

Versus

Gurpreet Singh aged about 28 years, son of Malkit Singh, resident of Dhani Ram Singh Pura Bharolanwali, District Sirsa, now residing at Ward No.07, Sardulgarh, District Mansa, now in Judicial Custody.

... Applicant/ accused.

FIR No.142 dated 01.09.2022
U/s 21(b) and 29 of NDPS Act,
Police Station, Sardulgarh, District
Mansa.

(APPLICATION FOR BAIL UNDER SECTION 439 CR.PC)

Present: Sh. Varinder Singla, Advocate, for the applicant/
accused.
Ms. Ravinderpal Kaur, Ld. Addl.P.P for State

ORDER

1. Accused/ applicant Gurpreet Singh has filed the present bail application under section 439 Cr.PC in case FIR No.142 dated 01.09.2022, U/s 21(b) and 29 of NDPS Act, Police Station, Sardulgarh, District Mansa.

2. Accusation leading to the registration of the FIR above said, are that on 01.09.2022, SI Balwinder Singh alongwith police

party was on the patrolling. When the police party was going on the road adjoining to Ghaghar canal, Sardulgarh and was about some distance ahead from Animal Hospital, one person was seen sitting in the bushes. He was searching something in the plastic envelope. He was apprehended on the suspicion that he might be carrying some intoxicant substance. On enquiry, the apprehended person disclosed his name as Gurpreet Singh son of Malkit Singh, resident of Dhani Ram Singh Pura Bharolanwali, District Sirsa, now residing at Ward No.07, Sardulgarh. Recovery of 70 grams of Heroin was effected from the possession of accused. He was arrested in the present case.

3. It has been argued by learned defence counsel of the accused/ applicant that he has been falsely implicated in the present case. Nothing is recovered from the applicant/accused. He is in custody since 01.09.2022. On these averments besides usual grounds, the accused/applicant was asked to be released on bail.

4. The application has been opposed by the learned Addl. PP for the State.

5. I have heard the arguments of learned counsel for the applicant/accused, learned Addl. PP for the State and have gone through the police record with their able assistance.

6. As per prosecution version, on 01.09.2022, in the area of Police Station, Sardulgarh, applicant/accused was found in possession of 70 grams Heroin, without any permit or licence. The contraband recovered from the applicant/accused does not fall under commercial

quantity as per provision of the NDPS Act. Applicant/accused is in custody since 01.09.2022. Alleged recovery has already effected. Final disposal of the trial will take considerable time. No useful purpose will be achieved by detaining the applicant/accused further in custody. His further detention would not serve interest of justice and also due to prevailing Covid-19 pandemic, without commenting upon the merits of the case, applicant/accused Gurpreet Singh is admitted to regular bail on furnishing bail bond in the sum of Rs.50,000/- with one surety in the like amount. Police record be returned and the papers of this bail application be tagged with remand papers.

Pronounced

Dated: 09.11.2022

**(Mandip Singh Dhillon),
Judge, Special Court,
Mansa.
(UID: PB0115)**