

IN THE COURT OF SUSHMA DEVI,
JUDGE SPECIAL COURT, AMRITSAR.
(UID No.PB0245)

CNR No. PBAS010032112026



Case No. BA/1408/2026

Presented on : 09-02-2026
Registered on : 10-02-2026
Decided on : 18-02-2026
Duration : 0 year, 0 month, 9 days

Deepak Kumar alias Mathi son of Rinku, resident of Gali Samtha Wali, near Khu, opposite Dairy, Chattiwind Chowk Right side, Amritsar and also resident of Gali No.4, Himmatpura, Amritsar.

.....Applicant/accused.

Vs.

State of Punjab

.....Respondent

F.I.R No. : 175 Dated 25.12.2025
Under Sections : 21(b), 27-A & 29 of NDPS Act, 1985.
Police Station : 'C' Division, Amritsar.

FIRST APPLICATION FOR BAIL UNDER SECTION 483 BNSS

Present: Sh.Gaurav Vinayaka Advocate, for the applicant/accused.
Sh.N.K.Gupta, Addl.P.P for the State alongwith SI Jagtar Singh, No.2973/ASR, posted at Police Station 'C' Division, Amritsar.

ORDER:

The present first bail application has been filed by the above-said applicant/accused under Section 483 BNSS, 2023, seeking bail.

2. Notice of the bail application was given to State and record was also summoned, upon which, learned Addl.P.P.for the State appeared alongwith SI Jagtar Singh, who produced the police record and suffered a statement that this is the first bail application of the applicant/accused under Section 483 of the BNSS and no other bail application has been filed by the applicant/accused in the Court of Sessions or Hon'ble Punjab & Haryana High Court. He further stated that no other offence has either been added or deleted in the present FIR till date.

3. Heard. As per prosecution story, **Deepak Kumar alias Mathi (i.e.applicant/accused)** was found in possession of 09 grams of Hoerin alongwith Rs.540/- as drug money, by the police party headed IO/SI Jagtar Singh, No.2973/ASR on 25.12.2025, in the area of Police Station 'C' Division, Amritsar, during the routine checking and patrolling. During his interrogation, he suffered a disclosure statement to the effect that he procured 10 grams of heroin from **Rajan alias Lava** at the rate of Rs.1500/- per grams, out of which, 09 grams was recovered alongwith Rs.540/- as drug money. Accordingly, **Rajan alias Lava** was nominated and arrested on 26.12.2025. However, no contraband of drug money was recovered from **Rajan alias Lava**. Report of RTFSL, Amritsar is yet to be received. The question whether the money recovered from **applicant/accused** constitutes the drug money is a matter of evidence which can be decided only at the conclusion of trial. It is submitted by learned counsel for the applicant/accused that he is in custody since 25.12.2025 i.e. for near about two months, therefore, interim bail may be

granted to him. As submitted by learned APP, the report of chemical examiner has not yet been received. Division Bench of Hon'ble Punjab and Haryana High Court in **Criminal Misc. No. 1140 of 2012 decided on 30.1.2014** titled as **“Inderjit Singh @ Ladi Vs. State of Punjab”** has held that “in case there is delay, this would entitle the offender of at least interim bail till report is finally received”. So, keeping in view the above said recovery from the possession of accused, I am of the view that the accused is entitled to get interim bail till report of Chemical Examiner is finally received as per ratio of the above said judgment. Accordingly, the above-named applicant/accused is ordered to be released on interim bail till the receipt of chemical examiner report on his furnishing of bail/surety bonds in the sum of **Rs.30,000/-** with one surety in the like amount, subject to conditions that:-

1. The applicant/accused shall not leave the country without prior permission of the Court.
2. The applicant/accused 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 Court or to any police officer.
3. The applicant/accused shall appear on each and every date of hearing.

It is however, made clear that in case, on receipt of report, quantity of narcotic drug or psychotropic substance is found to be commercial, this order granting interim bail shall be deemed to have come to an end automatically and applicant will be taken in custody without any

further order of cancellation of bail. The present bail application is disposed off accordingly. Police Record be returned forthwith and bail application be attached with the Remand Papers.

**Pronounced in open Court
on: 18.02.2026**

Barinder Pal Kaur
Stenographer Gd.II

**(Sushma Devi)
Judge Special Court,
Amritsar. UID No.(PB0245)**

Note: This order has been directly dictated on the computer.