

**IN THE COURT OF PARMINDER SINGH RAI,
JUDGE, SPECIAL COURT, GURDASPUR**

CIS No: BA/1409/2025
CNR No: PBGD01-003444-2025
Date of Decision: 21.04.2025

Arwinder Singh @ Mani s/o Gursahib Singh, r/o Village Mari
Panwan, Tehsil Batala, District Gurdaspur.

.....Petitioner.

Vs.

State of Punjab

.....Respondent

FIR No.22 dated 26.02.2025
Under Sections 21, 27-A & 29 of NDPS Act
and Section 111 of BNS added lateron.
Police Station:- Shri Hargobindpur

Bail application under Section 483 BNSS

Present: Sh. Mohit Mahajan, Advocate, counsel for
petitioner
Shri Vikram Kashyap, Ld. Additional P. P for State

ORDER

1. Present petition has been filed by petitioner seeking regular bail under Section 483 of BNSS for the alleged commission of offences as mentioned above.
2. Upon notice, learned Additional P. P. put in appearance and contested the bail application. Police record was requisitioned and perused.
3. As per the contents of the FIR, one Jaskirat Singh alongwith Sikander Singh was found in possession of 5 grams heroin

each with weighing scale.

On the basis of their disclosure statement, Arvinder Singh was also nominated in the present case and as per the said disclosure, accused Jaskirat Singh used to procure heroin from him only. Arvinder Singh applicant has also been apprehended and from his possession further 3.8 grams heroin alongwith drugs money of Rs.2200/- have been effected.

4. It is submitted by the leaned counsel for the petitioner that the petitioner has been falsely implicated in this case on the basis of alleged disclosure statement of co-accused. Nothing is to be recovered from the petitioner. Petitioner is in custody since 10.03.2025. Conclusion of trial shall taken sufficient long time. No purpose would be served by keeping the petitioner behind the bars for indefinite period, so, the petitioner may be admitted to regular bail.

5. On the other hand, learned Additional Public Prosecutor submitted that accused applicant has been habitual offender in as much as 3 cases of similar offence under NDPS Act have been registered against him. Before the registration of present FIR, following FIRs have been already registered against the petitioner:

Sr.No.	FIR Number	Offences	Police Station	Decision
1.	45/23	U/s 21 NDPS Act	ShriHargobindpur	pending
2.	21/2023	U/s 18 NDPS	ShriHargobindpur	Pending

		Act		
3.	69/2024	U/s 21 NDPS Act	ShriHargobindpur	Pending

It has been contended that the amount of Rs.2200/- so recovered have been earned by illicit trafficking of drugs. It is further submitted that keeping in view the previous conduct of the petitioner, she is not entitled to the concession of regular bail, so the present bail application may be dismissed.

6. I have considered the rival contentions of learned counsel for petitioner as well as of learned Additional Public Prosecutor and perused the record.

7. Allegations against accused/applicant has been that he was nominated in the present case on the basis of disclosure statement of co-accused. Accused Jaskirat Singh used to procure heroin from applicant only. Arvinder Singh applicant has also been apprehended and from his possession further 3.8 grams heroin alongwith drugs money of Rs.2200/- have been effected. He has been the supplier of the contraband to the accused and is also alleged to have been booked in three more cases of similar offences. He has been neck deep into illegal activities. In the matter of present case, the investigation is at earlier stages and police may be able to collect some more independent corroborative and affirmative legal evidence. Allegations against the accused-applicant are quite serious one. As per the case also drugs money of Rs. 2200/- has been of the sale of

the drugs which was with accused. Accused-applicant has been thus alleged to be actively involved into illegal trade of drugs. Section 37 of NDPS Act creates a bar even to release the accused in cases for the offence punishable under section 27 (A) of the NDPS Act. Offence under Section 27-A of the NDPS Act is grave and serious one in as much as it relates to financing of the illicit trafficking of drugs. Menace of drugs is eating into the vitals of society in as much as the youth of the country is being lured into drugs and its addiction posing a great threat to even the growth of country and nation building. Given the seriousness of allegations and bar contained under Section 37 of NDPS Act, this Court does not intend to release accused applicant from custody as there is every possibility that if he is released on bail, he would again indulge in same kind of offences as well and it would be a great threat to the society. Hence, the bail application of accused-applicant is hereby dismissed. Police record be returned. Record of present bail application be consigned to record room.

Pronounced
Dated:-21/04/2025.
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Judge, Special Court,
Gurdaspur (UID No. PB0175)

Present: Sh. Mohit Mahajan, Advocate, counsel for
petitioner
Shri Vikram Kashyap, Ld. Additional P. P for State

Police record produced. Arguments heard. Vide my
separate detailed order of even date, bail application has been
dismissed. Copy of this order be attached with remand papers.
Record of bail application be consigned to the record room.

Pronounced
Dated:-21/04/2025.
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Judge, Special Court,
Gurdaspur (UID No. PB0175)