

Ridham Khanna Vs. State of Punjab

**IN THE COURT OF MS. RANA KANWARDEEP KAUR CHAHAL,
JUDGE, SPECIAL COURT, KAPURTHALA (UID NO.PB00223)**

CNR No. PBKP010035092024



Case No. BA/1421/2024

Presented on : 19-07-2024
Registered on : 19-07-2024
Decided on : 06-08-2024

Ridham Khanna, s/o Vinod Khanna, aged about 21 years, r/o H. No.92,
Meli Gate, Thanedara Mohalla, Phagwara, District Kapurthala.

....Applicant/accused

Versus

State of Punjab

.....Respondent.

FIR No.134 of 18.06.2024,
U/S 21/29/61/85 NDPS Act.
Police Station City Phagwara, District
Kapurthala

[Application for Bail U/s 483 BNSS]

Present: Shri Naveen Maini, Advocate, for applicant/accused.
Sh.APS Dhillon, Addl.P.P. for the State.

ORDER:-

1. Applicant/accused named above has filed this bail application under Section 483 BNSS in a case FIR No.134 of 18.06.2024, under sections 21/29/61/85 NDPS Act, registered at Police Station City Phagwara, District Kpaurthala.

2. Upon notice, Sh.APS Dhillon, Additional Public Prosecutor appeared on behalf of State.

Rana Kanwardeep Kaur Chahal,
Judge, Special Court, Kapurthala.
Dated 06.08.2024

ARGUMENTS OF LD. COUNSEL FOR APPLICANT/ACCUSED:

3. The learned counsel for applicant/accused has argued that applicant/accused is innocent and has committed no offence. He has been falsely implicated in the present case. The applicant/accused is in custody since 18.06.2024 i.e. from the date of arrest and no longer required for the purpose of investigation. Nothing has been recovered from the applicant. Presentation of challan and conclusion of its trial will take sufficient long time. It is further submitted that applicant/accused undertake to abide by all the conditions to be imposed by the Court, if he is released on bail. Lastly, it is prayed that bail application may kindly be allowed.

ARGUMENTS BY LD.ADDL. PUBLIC PROSECUTOR:

4. On the other hand, the learned Addl. PP for the State has opposed this bail application. He has submitted that the applicant/accused has committed serious offence as **10 grams of Heroin and drug money** has been recovered from him in this case. Accordingly, a prayer is made for dismissal of bail application.

5. Further, ASI Pargat Singh had appeared appeared and suffered a statement that no bail application under provisions of section 438 Cr.P.C. or 439 Cr.P.C. before Hon'ble High Court or decided by it or by any other Superior Court in the present case filed by or against the present applicant/ accused. He has further stated that recovery of 10 grams of Heroin and Rs.40,000/- drug money was effected from applicant/

accused. The report of FSL is still awaited. He is in custody since 18.06.2024. Moreover, one more FIR No.25 of 24.02.2024, under section 21 NDPS Act, PS Satnampura was registered against him.

6. I have heard the learned counsel for applicant/accused and learned Addl.PP for the State and have also gone through the record.

7. Police record produced. The prosecution case is that on 18.06.2024, in the area of Mohalla Thanedaran Mehli Gate, Phagwara, present applicant/ accused Ridham Khanna was apprehended with 10 grams of Heroin by the police party headed by ASI Pargat Singh. During investigation proceedings, Naman Khanna was also nominated in this case on the basis of disclosure statement of applicant/ accused Ridham Khanna and recovery of Rs.40,000/- drug money was also effected. Moreover, section 29 of NDPS Act was also added in this **FIR.**

8. Perusal of police record shows that applicant/accused is presently in custody since from the date of his arrest in this case i.e. 18.06.2024. One other FIR has been found registered against the applicant/ accused, as referred above. However, the recovery of alleged Heroin allegedly effected from the present applicant/accused falls under the **category of non-commercial quantity.** The presentation of challan and conclusion of the trial would take long time. No useful purpose will be served by detaining the applicant/accused in custody for indefinite period,

rather it would be a burden on State's exchequer. So, keeping in view the facts and circumstances of this case, applicant/accused is ordered to be released on **regular bail** on his furnishing the bail bonds to the tune of **₹1,00,000/- with one surety in the like amount**, subject to following conditions:-

- I. That the applicant/accused will not directly or indirectly make any inducement, threats 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.
- II. That the applicant/accused will not leave the territory of India without prior permission of the Court.
- III. That the applicant/accused will appear in the court on each and every date of hearing.
- IV. Applicant/ accused shall mark his presence on 1st of every month before the concerned police station till conclusion of trial.

9. Police record be returned along with copy of this order.

Record of this bail application be tagged with the pending remand papers.

Pronounced on:
Dated:06.08.2024

Kaushal Kumar

(Rana Kanwardeep Kaur Chahal)
Judge, Special Court, Kapurthala
(UID No. PB00223).

Rana Kanwardeep Kaur Chahal,
Judge, Special Court, Kapurthala.
Dated 06.08.2024

CIS No.	BA/1421/2024
CNR No.	PBKP010035092024

Present: Shri Naveen Maini, Advocate, for applicant/accused.
Sh.APS Dhillon, Addl.P.P. for the State.

Arguments heard. Vide my separate detailed order of even date, the bail application filed by applicant/ accused stands allowed as detailed therein. Police record be returned along with copy of this order. Record of this bail application be tagged with the pending remand papers.

Pronounced on:
Dated:06.08.2024
Kaushal Kumar

(Rana Kanwardeep Kaur Chahal)
Judge, Special Court,Kapurthala
(UID No. PB00223)

Rana Kanwardeep Kaur Chahal,
Judge, Special Court, Kapurthala.
Dated 06.08.2024