

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

Case Type	: BA (Bail Application)
File No.	: 434/2021
CIS Case No.	: BA/1586/2021
CNR No.	: PBMN010060742021
Date of registration	: 26.10.2021
Date of Decision	: 02.11.2021

State

Versus

Dayal Singh @ Dyali aged about 52 years, son of Arjan Singh, resident of village Ahlupur, Tehsil Sardulgarh, District Mansa, now confined in District Jail, Mansa.

... Applicant/ accused.

FIR No.170 dated 08.10.2021
U/s 15 and 29 of NDPS Act,
P.S. Sardulgarh, District Mansa.

(FIRST APPLICATION FOR BAIL UNDER SECTION 439 CR.PC)

Present: Shri S.K. Bansal, Advocate, for the applicant/
accused.
Sh. P.S. Chahal, Ld. Addl. PP for the State.

ORDER

1. Accused/ applicant Dayal Singh @ Dyali has filed the present bail application under section 439 Cr.PC in case FIR No. 170 dated 08.10.2021, U/s 15 and 29 of NDPS Act, P.S. Sardulgarh, District Mansa.

2. Briefly stated the facts of the prosecution case are that on 08.10.2021, SI Lakha Singh received phone call from ASI Sukhwinder Singh that during patrolling in the area of village Ahlupur, they had apprehended one person carrying a plastic bag on the suspicion that he might be carrying some narcotic substance. On receiving the information, SI Lakha Singh alongwith police officials reached at the spot and enquired from the apprehended person who disclosed his name as Dayal Singh @ Dyali son of Arjan Singh, resident of village Ahlupur. Recovery of 1.5 Kgs poppy husk was effected from his possession. He was arrested in the present case.

3. It has been argued by learned defence counsel of the accused/ applicant that he is innocent and has been falsely implicated in the present case. He is in custody since 08.10.2021. 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 08.10.2021 in the area of village Ahlupur, applicant/accused Dayal Singh @ Dyali was found in possession of 1.5 kgs poppy husk, 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 08.10.2021. Alleged recovery

has already effected. Presentation of challan and 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, without commenting upon the merits of the case, applicant/accused Dayal Singh @ Dyali 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: 02.11.2021

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

Present: Shri S.K. Bansal, Advocate, for the applicant/
accused.
Sh. P.S. Chahal, Ld. Addl. PP for the State.

Police record received and perused. Arguments heard.

Vide my separate detailed order of even date, the bail application moved by the accused/ applicant Dayal Singh @ Dyali for bail has been allowed. Police record be returned and the papers of this bail application be tagged with remand papers.

Pronounced

Dated: 02.11.2021

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