

**In the court of Shri Jagdeep Singh Marok,
Judge Special Court, Ludhiana.**

(Unique Identification Code No. PB-0074)

Bail Application No.1586/2020

CNR No. PBLD01-005438-2020

Date of Order: 13.03.2020

State Versus Gurmeet Singh @ Keeru sonof S. Sadhu
Singh, resident of Latala, P.S. Jodhan,
District Ludhiana.

FIR No.11 dated 11.02.2020

Under Sections 15,22,61,85 NDPS Act

P.S. Jodhan, District Ludhiana.

(Bail application under Section 439 Cr.P.C.)

Present: Sh. Ramanpreet Sandhu, Advocate for applicant.

Sh. K.S. Grewal, Addl.P.P. for the State.

ORDER

Heard on the application having been moved by the applicant aforesaid, seeking grant of bail to him in view of the provisions of Section 439 of the Code of Criminal Procedure wherein it has been alleged that the applicant has been falsely implicated in the present FIR. No offence has been committed by the applicant. The applicant is in custody since 11.02.2020. The alleged recovery has already taken place, which is non commercial quantity. So, prayer has been made for releasing the applicant/accused on bail.

2. Pursuant to the notice given to the State, the record has been produced by ASI Syed Sakeel. Learned Public Prosecutor appeared and contested the claim of the applicant with the plea that 15 Kgs Poppy Husk in this case was recovered. So the submission of learned Public Prosecutor is that in view of the quantity of the contraband having been recovered, applicant is not entitled to the grant of concession of bail.

3. I have given thoughtful consideration to the respective submissions of both sides and gone through the documents on record.

4. In this case, 15 kg Poppy husk is stated to have been recovered from the possession of applicant Gurmeet Singh but said applicant Gurmeet Singh is denying his involvement in the commission of the alleged offence. He was arrested in this case on 11.02.2020. The criminal liability of applicant would be assessed when the parties in support of their respective contentions would lead evidence. Moreover, at this stage, police has not produced anything substantive against the accused so as to assume that the applicant is involved himself in the commission of the alleged offence if granted the concession of bail. More so, if the applicant is kept in the judicial custody then it would tantamount to a burden on the State Exchequer especially when after the trial the criminal liability of the applicant would be assessed. Hence, in the

interest of justice, the applicant/accused is ordered to be released on bail on his furnishing bail bonds/surety bonds in the sum of Rs. 1,00,000/- with one surety in the like amount. Application stands disposed of without expressing any opinion on the merits of the case. Police record be returned along with copy of this order. File be attached with the remand papers.

Pronounced;
Dt; 13.03.2020

AJAY SARIN STGR.II

(Jagdeep Singh Marok)
Judge Special Court,
Ludhiana (UID No.PB 0074)