

State Vs. Khushpreet Singh

FIR No.210 dated 13.09.2024
Under section 21-61-85 NDPS Act
PS Samrala

Present:- Counsel for applicant/accused Khushpreet Singh.
Ld. APP for the State.

This order of mine, shall dispose of bail application filed on behalf of accused/applicant Khushpreet Singh.

2. The Ld. Counsel for accused/applicant has submitted that the applicant/accused has been falsely implicated in this case and no such alleged offence has been committed by the applicant. It is further submitted that the applicant/accused is in custody since date of arrest i.e., 13.09.2024. The accused/applicant assumed to abide by all the instruction and conditions imposed by the Court for which he may be released on bail. Hence, it is prayed that the applicant-accused be granted the concession of bail.

3. Notice to the bail application was given to the Ld. App for the State. Ld. APP has opposed the bail application orally on the ground that the serious offence have been committed by the accused.

4. As per report of Ahlmad, no bail is pending or decided in any Court qua the above said applicant/accused. Statement of ASI Sanjeev Kumar, No.219/Khanna also recorded wherein he stated that there is no bail application pending or decided in any Court except the present bail application in the FIR no.210 dated 13.09.2024 under sections 21-61-85 NDPS Act, PS Samrala. Similarly statement of Learned APP for the State also recorded wherein he stated that there is no bail application pending or decided in any Court except the present bail application in the FIR no.210 dated 13.09.2024 under sections 21-61-85 NDPS Act, PS Samrala.

5. I have heard the counsel for the accused as well as Ld.

APP for the State and gone through file.

6. The allegations against the accused Khushpreet Singh in the present case are that during the checking he was found in possession of 4 grams of Smack. Perusal of the file shows that the accused has been arrested in the present case for the offence punishable under Section 21-61-85 NDPS Act. Accused Khushpreet Singh is in custody since date of his arrest i.e., 13.09.2024. The allegations are yet to be proved during course of trial but conclusion of trial will take its time. Meanwhile, no useful purpose will be served by detaining the accused behind bars for indefinite period. Recovery in the present FIR has already been effected. No recovery is left to be effected from the accused Khushpreet Singh. Thus, keeping in mind that no useful purpose would be served by detaining the accused behind the bars for an indefinite period because guilt of accused is yet to be established after coming of evidence on merits, thus, the present bail application stands allowed and the accused Khushpreet Singh is ordered to be released on bail on furnishing bail bonds and surety bonds in the sum of Rs.50,000/- with one surety in the like amount subject to the following conditions:

- (i) he shall not leave India without prior permission of the court;
- (ii) he shall not tamper with the prosecution evidence;
- (iii) he shall attend the court regularly on each date of hearing;

7. Bail bonds and surety bonds furnished which are accepted and attested. Release warrants be issued forthwith. Papers be tagged with the main FIR/Remand/Challan/docket.

Dated:
01st October, 2024
(Sonia, Steno-II)

(Pavleen Singh) PCS
Sub-Divisional Judicial Magistrate
Samrala. (UID No. PB 0362)