

In the court of Sardar Harjeet Singh, Judge, Special Court,
Moga. (UID No.PB0131)

CIS No.BA/1566/2024
CNR No.PBMO010040042024
Date of Order:- 31.07.2024

State of Punjab

Versus

Arshdeep Singh @ Arshdeep son of Kewal Singh son of Veer Singh, resident of
Village Chupkiti, Tehsil and District Moga.

....Accused/Applicant

FIR No.216 dated 1.10.2019.
Under sections :- 22 of NDPS Act.
Police Station :- City South, Moga.

Bail Application under Section 439 Cr.P.C. (483
B.N.S.S.)

Present :- Shri Sukhdev Singh, Additional Public Prosecutor for the state
Shri Preetinder Singh Gill, Advocate, Deputy Legal Aid Defence
Counsel

ORDER

Vide this order, I intend to dispose of bail application under Section
439 Cr.P.C filed by applicant/accused in the FIR mentioned above.

Record received and perused.

Learned counsel for accused/applicant has argued that accused/
applicant has been falsely implicated in the case in hand. Earlier, he was on bail.
He absented from the court proceedings. Later on he was declared proclaimed
offender on 4.05.2023. The accused was arrested in this case on 30.03.2024.
Since then he is in custody. Completion of trial will take long time and no useful
purpose would be served by keeping accused/applicant behind the bar for an
indefinite period. So, he prayed that applicant/accused be released on bail.

On the other hand, learned Additional Public Prosecutor for the

State argued that accused/applicant has misused the concession of bail. It is not a fit case where concession of bail can be granted to the accused/applicant. Lastly, he prayed that bail application be dismissed.

I have considered the submissions of learned counsel for accused/applicant and learned Additional Public Prosecutor for the State.

As per prosecution version, 100 Denovo intoxicant tablets in loose condition total weighing 71.6 grams Tramadol Hydrochloride Salt were recovered from possession of accused/applicant. Accused/applicant absented from the court proceedings. On 6.05.2022, his bail order was cancelled and bail bonds and surety bonds were forfeited to the State. He was summoned through warrants of arrest. Ultimately he was declared proclaimed offender on 4.05.2023. Lateron, the accused was arrested in this case on 30.03.2024. Since then he is in custody. Accused/applicant has learnt sufficient lesson for remaining absent from the court without any intimation of the court. Completion of trial will take a lot of time. No useful purpose would be served by detaining applicant/accused behind bars for an indefinite period. In these circumstances and without much commenting upon merits of the case, bail application is allowed and applicant/accused is again ordered to be admitted on bail on furnishing his personal bonds in the sum of ₹ 75,000/- with one surety in the like amount subject to following conditions:-

- (i) that applicant shall not leave the country without prior permission of court;
- (ii) that he shall appear in each and every date of hearing;
- (iii) that he shall not tamper with the prosecution evidence or shall not threat any prosecution witness.

File be tagged with the main file pending before this court.

Pronounced.
31.07.2024.
(Jagjit Singh Panesar, Stenographer-I)

(Harjeet Singh)
Judge, Special Court,
Moga. (UID No.PB0131)