

**IN THE COURT OF EKTA UPPAL, ADDITIONAL SESSIONS
JUDGE-CUM-JUDGE, SPECIAL COURT, PATHANKOT (UID
NO.PB00301)**

1. BA No.1603 of 2025.
CNR No.PBPO010055992025
Date of Institution:10.11.2025
Date of Decision:15.11.2025.

Ashmit Singh alias Billi aged 27 years son of Versus **State**
Lakhbir Singh, resident of Partap Nagar,
Model Town, Ward no.30, PS Division No.2,
Pathankot.

2. BA No.1604 of 2025.
CNR No.PBPO010055982025
Date of Institution:10.11.2025
Date of Decision:15.11.2025.

Gagan Bajaj alias Gannu aged 29 years son Versus **State**
of Rajeev Bajaj, resident of Near Mahavir
Public School, Saingarh, Pathankot.

FIR No.178 of 04.10.2025.
U/Ss 21,22-61-85 of NDPS Act.
P.S. Division No.2, Pathankot.

Present: Ms. Anu Pathania, Advocate and Sh. Nureen Pathania
Advocate counsels for applicants/accused Ashmit Singh
alias Billi and Gagan Bajaj alias Gannu.
Ms. Ambica Gupta, Ld. Addl. PP for the State.

ORDER:-

1. Vide this composite order, I shall simultaneously dispose of two regular bail applications filed under Section 483 of BNSS in the present same FIR by accused Ashmit Singh alias Billi and Gagan Bajaj alias Gannu.

2. Saning unnecessary details, briefly stating the averments of the applicants/above accused are similar in their respective bail applications. The applicants version is that they have been arrested by the police authorities from Himachal Pradesh and is in custody since 04.10.2025. They were arrested by the police upon the false statement made by the victim Sikander alias Rinku. All the investigation has been

completed by the police and the presence of applicant/accused is no more required by the police. Hence, the present regular bail applications.

3. To counter the applicants version, the learned Addl PP for the State, relied upon the prosecution version in the FIR and police record.

4. Perused. Perusal of file shows as per prosecution version, the FIR is by name against the present applicants/accused Ashmit Singh alias Billi & Gagan Bajaj alias Gannu and co-accused Sunil Saini. The joint recovery is 25 grams 15 miligrams heroine like substance from the envelope got located by all the accused persons, on the basis of their disclosure statement during the police interrogation. FSL report is awaited. No personal recovery is alleged. Applicants/accused have been in custody since 04.10.2025. Recovery has already been effected. Co-accused Sunil Saini has already been granted the benefit of regular bail vide order dated 12.11.2025. 05 criminal antecedent (02 under IPC, 02 under NDPS Act and 01 under Arms Act) against the applicant/accused Gagan Bajaj alias Gannu and 06 criminal antecedents (03 under IPC, 02 under NDPS Act and 02 under Arms Act) against the applicant/accused Ashmi Singh alias Billi, have been mentioned in the bail proforma but learned counsel has submitted that both the applicants/accused are on bail in three cases out of the criminal antecedents mentioned against them. Moreover, every bail application is to be perused on the basis of its own circumstances and in the case in hand, no reason to keep the accused behind the bars for any further period.

5. Further, it is the cardinal principal of law “Bail is a rule, jail is an exception” as held in Hon’ble Apex Court judgment passed in ***Dataram Singh Vs. State of Uttar Pradesh and another, (2018) 3 SCC 22.*** Moreover, it will take time to conclude the investigation, present *Challan* and conclude the trial. No useful purpose would be served by keeping him behind the bars. Hence, the applicants/accused are ordered to be released on bail subject to

furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount each before the learned Illaqa Magistrate/Duty Magistrate, subject to the following conditions:-

- i) that they shall attend the court on each and every date of hearing;*
- ii) that they shall not leave India without prior permission of the trial court;*
- iii) that they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;*
- iv) The furnishing of above bonds shall be deemed acceptance that once the trial begins, the applicant shall not, in any manner, try to delay the proceedings, and undertakes to appear before the concerned Court and to attend the trial on each date, unless exempted. In case of an appeal, on these very bonds, the applicant also promises to appear before the higher Court in terms of Section 481 of BNS.*
- v) In case after examination of sample, if the alleged recovered quantity turns out to be commercial quantity, then the instant bail shall automatically be cancelled.*
- vi) The accused as well as surety shall submit atleast two of the following documents at the time of furnishing the bonds:*
 - (a) Passport,*
 - (b) Pan Card Copy,*
 - (c) Bank Passbook,*
 - (d) Credit Card with photograph,*
 - (e) Ration card,*
 - (f) Electricity bill,*
 - (g) Landline telephone bill,*
 - (h) Voter ID Card issued by the Election Commission of India,*
 - (i) Property Tax Register,*
 - (j) Aadhaar Card.*
- vii) The accused as well as surety shall inform the police authorities as well as court about the change of his/her residential address, if any.*

6. Nothing stated here-in-above shall have any effect on the merits of this case. The bail applications of applicants/accused are allowed only for the offence as mentioned in the FIR and this order will have no bearing for any future added offence, if any. Copy of this order be sent to learned Illaqa Magistrate/Duty Magistrate. Copy of this order be also placed in connected bail application. Bail application file be consigned to the record room, Pathankot.

Pronounced in open Court:

Dated :15.11.2025

Anshul SG.III

**Ekta Uppal,
Additional Sessions Judge-cum-
Judge, Special Court,
Pathankot.UID/PB0301**

"I attest to the accuracy and
authenticity of this document".