

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

Case Type : BA (Bail Application)
CIS Case No. : BA/1617/2022
CNR No. : PBMN010048792022
Date of registration : 02.12.2022
Date of Decision : 14.12.2022

State

Versus

Jaswant Singh aged about 37 years, son of Bakhtaur Singh, resident of village Dhodarpur, Tehsil Budhlada, District Mansa, now confined in District Jail, Mansa.

... Applicant/ accused.

FIR No.148 dated 06.11.2022
U/s 18(b) and 25 of NDPS Act,
P.S. Boha, District Mansa.

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

Present: Sh. G.S. Tiwana, Advocate, for the
applicant/accused.
Sh. P.S. Chahal, Ld. Addl. PP for the State.

ORDER

1. Accused/ applicant Jaswant Singh has filed the present bail application under section 439 Cr.PC in case FIR No. 148 dated 06.11.2022, U/s 18(b) and 25 of NDPS Act, P.S. Boha, District Mansa.

2. Accusation leading to the registration of the FIR above said, are that on 06.11.2022, SI Harbhajan alongwith police party was going in connection with the patrolling. When the police party was about ½ kilometer ahead from village Todarpur, one person was seen sitting on seat of motorcycle near the bus stand. He was stirring his hand in the plastic envelope lying on the motorcycle. On seeing the police party, he tried to run away. He was apprehended on the suspicion that he might be carrying some narcotic substance. On enquiry, he disclosed his name as Jaswant Singh son of Bakhtaur Singh, resident of village Dhodarpur. Recovery of 500 grams of opium was effected from the possession of accused. He was arrested in the present case.

3. It has been argued by learned defence counsel of the accused/ applicant that he has been falsely implicated in the present case. Nothing is recovered from the applicant/accused. He is in custody since 06.11.2022. 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 06.11.2022, in the area of P.S. Boha, applicant/accused Jaswant Singh was found in

possession of 500 grams opium, 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 06.11.2022. 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 Jaswant Singh 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: 14.12.2022

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

Avinash Stenographer G-I