



**IN THE COURT OF AMANDEEP KAUR CHAHAL (UID No. PB0248)
ADDITIONAL SESSIONS JUDGE, TARN TARAN**

CIS No. BA 161 of 2025
Decided on: 04.02.2025

Lovepreet Singh, aged 30 years, son of Balkar Singh, R/o Village Manakpura, Sarai Amanat Khan, Tehsil Sarai Amanat Khan, District Tarna Taran .

..... Applicant

Versus
State of Punjab

FIR No. 67 dated 19.08.2023
Under sections 21/61/85 of NDPS Act (Section 21-C/29 of NDPS Act and 25/54/59 Arms Act added later on. Act
Police station: Sarai Amanat Khan.

Second bail application under section 483 of BNSS for grant of regular bail.

Present: - Sh. Jaideep Ratti, Advocate, counsel for the
applicant/accused
Sh. Sandeep Kumar, APP for the State.

ORDER

1. This order of mine shall dispose of bail application under section 483 of BNSS filed on behalf of applicant Lovepreet Singh, in case FIR No. 67 of 2023, under Sections 21/61/85 of NDPS Act (Section 21-C/29 of NDPS Act later on added Sections 25/54/59 Arms Act BNS.
2. Notice of the bail application was issued to the State and police record was requisitioned.
3. This bail application has been filed on behalf of the applicant Lovepreet Singh on the grounds that the present applicant is innocent and has been falsely implicated

in the present case. He is in custody since 19.8.2023 and no more required for further investigation. The provisions of NDPS Act has not been followed at the time of search and seizure of the present applicant. Trail is likely to take some time. No useful purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

4. Report of investigating officer alongwith the Additional Public Prosecutor about pendency of or of any former adjudication of bail application before or by any Court under the provisions of BNSS and the result thereof was called upon. It was reported that except the present FIR, no other FIR has been registered at P.S.Sarai Amanat Khan against the applicant/accused and no any application relating to this case has been decided or pending in any other court of competent jurisdiction. Such a declaration is also contained in the bail application.

5. Brief facts of the present case are that the present FIR has been registered at the instance of investigating officer who sent ruqa to police station for registration of the FIR with the allegations that on 19.8.2023, Investigating Officer alongwith fellow police officials alongwith laptop and investigation kit were on official vehicle bearing registration no. PB-07-T-4868 which was being driven by ASI Beant Singh were on patrolling duty in search of bad elements and were proceeded towards village Gandiwind of police station Sarai Amant Khan and when the police party reached near turning point of village Gandiwind, the secret information was received that Lovepreet Singh @ Sonu son of Balkar Singh, Akashdeep Singh @ Sajjan son of Balkar Singh both residents of villager Sarai Amant Khan are indulging into smuggling of heroin as well as illegal weapons. On

finding the secret information reliable ruqa was prepared and sent to the police station for registration of the FIR through Constable Jaswinder Singh. Special reports were also sent but no recovery was effected on that day.

6. On the next day I.e 20.8.2023, at about 2:10 PM the police party was checking the vehicles at turning point of village Bhuse and one Verna car of black colour was intercepted and two persons were occupying the car and the car was driven by Gurpreet Singh @ Gopi and accused lovepreet was sitting on other side in car and on checking 1 kg 290 grams heroin was recovered from the car alongwith Rs. 30 lacs as drug money and one pistol 32 bore alongwith eight live cartridges were also recovered.

7. Learned counsel for the applicant has contended that nothing has been recovered from the possession of applicant-accused. Accused/applicant is in custody since 19.8.2023. No useful purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

8. On the other hand, learned APP for the State has strongly opposed the regular bail on the grounds that it is a case of conscious possession of 1 kg 290 grams heroin which is commercial quantity and huge amount of Rs. 30 lacs as drug money and one pistol 32 bore alongwith eight live cartridge were also recovered in the present case. Further more, there is bar under Section 37 of NDPS Act in commercial quantity for grant of regular bail. As such, regular bail application of the present applicant may kindly be dismissed.

9. After having heard learned counsel for the applicant-accused and learned APP for the State, this court is of the opinion that it is a case of conscious possession

of 1 kg 290 grams heroin which is commercial quantity and huge amount of Rs. 30 lacs as drug money and one pistol 32 bore alongwith live cartridges were also recovered in the present case. Further more, there is bar under Section 37 of NDPS Act in commercial quantity for grant of regular bail. There is no explanation for keeping commercial conscious possession of heroin with the accused. As such, I find no merit in the present regular bail application and the same stands dismissed. File is ordered to be attached with the main trial/remand papers.

Pronounced in open court
on: 04.02.2025

Amandeep Kaur Chahal,
Additional Sessions Judge/
Judge Special Court/
FTC/POCSO, Tarn Taran
/UID-PB0248

Present: - Sh. Jaideep Ratti, Advocate, counsel for the
applicant/accused
Sh. Sandeep Kumar, APP for the State assisted by Sh.
Amrinderjeet Singh, Advocate.

Police record received and perused. Arguments heard. Vide my separate detailed order of even date, the present bail application stands dismissed. Bail Papers be attached with the remand papers/challan pending, if any, or be consigned to the record room.

Pronounced in open court
on: 04.02.2025

Amandeep Kaur Chahal,
Additional Sessions Judge/
Judge Special Court/
FTC/POCSO, Tarn Taran
/UID-PB0248