

**IN THE COURT OF SH. BIKRAMJIT SINGH, ADDITIONAL SESSIONS
JUDGE, BARNALA. (UID NO. PB0224)**

BA No.1927-2025

CNR No.PBBR01-005267-2025

Date of Institution : 17.11.2025

Decided on: 01.12.2025

**Harwinder Singh, alias Jassu, son of Jagdev Singh, resident of House
No.135, Near Mata Rani Mandir, village Vidhata, District Barnala.**

.....Applicant

versus

State of Punjab

.....Respondent

FIR No.94, dated 27.09.2025

U/ss 22, 29, NDPS Act, 1985 and Section
223, BNSS, 2023.

Police Station : Sehna.

Bail application under Section 483, BNSS, 2023

Present: Sh. K. R. Goyal, Advocate, for the applicant-accused-Harwinder
Singh, alias Jassu.

Sh. Dilpreet Singh, Addl. PP for the State.

ORDER

This order of mine shall dispose of above mentioned bail
application moved by applicant-accused-Harwinder Singh, alias Jassu in the
above noted case for grant of regular bail under section 483 of the BNSS, 2023.

2. Notice of bail application was issued to the respondent-State and

learned Addl. PP for the State has put in appearance. Record of investigation received and perused.

3. I have heard the learned counsel for the bail applicant, learned Addl. PP for the State and also perused the record.

4. Succinctly stated as per the prosecution version, on dated 27.09.2025, Gurmander Singh SI, along with fewer other police officials, was present at Bus Stand, laid a naka on the Link Road, leads towards village Ishar Singh Wala from bridge of canal, Sehna for the purpose of checking of bad/suspicious persons. It was about 02:30 P. M., the police party spotted two motorcycle borne persons came from village Ishar Singh Wala. The persons on seeing the police party tried to turn back the motorcycle. In this process, the engine of the motorcycle turned off. The pillion rider threw down a polythene bag. The duo were apprehended by the police party. The persons upon enquiry identified themselves as Maheshdeep Menra, alias Gaggu and Harwinder Singh, alias Jassu (applicant-accused). After complying with mandatory provisions of the NDPS Act, 1985, the search of the polythene got conducted, which resulted into recovery of loose intoxicant tablets, 100 Nos. and 33 strips of intoxicant capsules, labelled Pregabalin Capsules IP Signore, each strip containing 15 capsules, 495 capsules in total, therefrom. The applicant-accused-Harwinder Singh, alias Jassu and his co-accused-Maheshdeep Menra, alias Gaggu were arrested into the present case.

During the investigation, Gurdeep Singh and one Harmanpreet Singh were nominated as accused into the matter of the present case and the offence punishable under Section 29 of the NDPS Act, 1985 was added to the

FIR. The co-accused-Harmanpreet Singh and Gurdeep Singh were arrested into the matter of the present case on dated 25.10.2025 and 30.10.2025, respectively.

A representative sample of the loose intoxicant tablets, allegedly recovered from the possession of the applicant-accused-Harwinder Singh, alias Jassu and his co-accused-Maheshdeep Menra, alias Gaggi, was sent to the RTFSL, Bathinda, Punjab for chemical analysis purpose. The FSL report stands received. As per FSL report, 'Alprazolam' ingredient was found present in the content of the representative sample. The average weight of the tablets is stated to be 137 mg. per tablet, which would come out to be 13.7 grams (when converted into grams) for the recovered tablets, which falls within the ambit of 'intermediate quantity' under the NDPS Act, 1985.

5. Learned counsel for the applicant-accused has vehemently contended that the applicant-accused is the quite innocent person and has been falsely implicated in this case. Prosecution allegations are false and concocted one. No recovery is to be effected from the applicant-accused even otherwise, the alleged recovery falls within the non-commercial category. The police report under Section 193(3), BNSS, 2023 stands already presented. The conclusion of trial shall take its own time. No useful purpose is going to be served by detaining the applicant-accused behind bars anymore. The applicant-accused will abide by all the terms and conditions as imposed by this Court. Lastly, a prayer for grant of regular bail to the applicant-accused has thus, been made.

6. On the other hand, learned Addl. PP for the State has opposed the bail application on the ground of seriousness of offences and further submitted that the applicant-accused is not entitled for regular bail. Lastly, prayer has been

made for dismissal of the bail application.

7. After giving thoughtful consideration to the rival contention and after going through the record, this court is of the considered view that the instant bail application merit acceptance. As per prosecution allegations, applicant-accused-Harwinder Singh, alias Jassu and his co-accused-Maheshdeep Menra, alias Gaggi on dated 27.09.2025 had in their conscious possession loose intoxicant tablets, 100 Nos., and 33 strips of intoxicant capsules, labelled Pregabalin Capsules IP Signore, each strip containing 15 capsules, 495 capsules in total, as detailed above.

As stated above that as per report of FSL, 'Alprazolam', ingredient was found present in the content of the representative sample of the loose intoxicant tablets. Further, the alleged recovery falls within the category of 'intermediate quantity' under the NDPS Act, 1985. The applicant-accused is in custody since 27.09.2025. The police report under Section 193(3), BNSS, 2023 stands already presented. The conclusion of trial shall take its own time. No useful purpose is going to be served by detaining the applicant-accused behind bars anymore. The criminal liability of the applicant-accused if any be determined during trial. Therefore, the bail application moved by applicant-accused is allowed and the applicant-accused is ordered to be released on bail on furnishing the bail bonds in the sum of ₹1,00,000/- with one surety in the like amount to the satisfaction of this Ilaqa/duty Magistrate, subject to the conditions:-

- I) That the applicant-accused shall remain present before the court on each and every date of hearing.
- ii) That the applicant-accused shall not leave India without the prior

permission of the court.

iii) That the applicant-accused shall not influence or intimidate any of the prosecution witnesses in any manner whatsoever.

iv) That the applicant-accused shall not commit similar offence in future.

8. As ordered by the Hon'ble Supreme Court of India in its order dated 31.01.2023 passed in the matter of **In Re Policy Strategy For Grant of Bail, SMWP (Criminal) No.4/2021**, the Ahlmad concerned is directed to send a soft copy of the bail order by e-mail to the accused through the Jail Superintendent concerned today itself or the next day.

9. Bail application file be annexed to the relevant record.

Pronounced in open Court on
01st day of December, 2025.

Gurdit Singh

JW Grade-II

(Bikramjit Singh),
Judge, Special Court,
Barnala.
(UID No.PB0224)