

BA 1920-25

State Vs. Lovepreet Singh @ Lavi

Present : Mr. Vijay Sharma, Advocate, counsel for the
accused/ applicant.
Mr. Amandeep Singh, Additional PP for the State

ORDER

An application for adding the offence punishable under Section 29 of the NDPS Act in the bail application has been filed on the assertions that the said offence has been added lateron. Heard. In view of the assertions made in the application, the application in hand is allowed and the Reader of this court is directed to make necessary correction in the bail application under his initial after giving note about passing of this order.

2. Heard on first bail application under Section 483 of BNSS filed by the accused/ applicant, namely Lovepreet Singh @ Lavi son of Kulwant Singh, in case bearing FIR No. 34 dated 18.4.2025, under Section 21, 22, 25 and 29 (added lateron) of NDPS Act, PS Smalsar, District Moga, notice of which was given to the State. Record of police produced and perused.

3. As per allegations of the prosecution, on 18.4.2022, 4 gram of Heroin was recovered from the possession of accused Mandeep Singh and Nirmla Rani and 30 loose intoxicating tablets were recovered from the polythene thrown by accused Mandeep Singh @ Gora. The accused/ applicant, namely Lovepreet Singh @ Lavi has been nominated in the present case under Section 29 of the NDPS Act vide GD entry No. 27 dated 20.4.2025, on the basis of disclosure statement made by co-accused Mandeep Singh, from whose possession, the alleged recovery of 30 loose

intoxicating tablets containing salt Alprazolam, falling under the small quantity tablets has been made.

4. As per the judgment titled as Kuldeep Singh @ Keepa Versus State of Punjab, decided on 18.12.2024, passed by Hon'ble the High Court of Punjab and Haryana, Chandigarh, in CRM-M-60671 of 2024, the offences involving the small quantity are bailable, though the police has arrested the accused.

5. The alleged recovery effected in the present case falls within the ambit of small quantity, which is a bailable offence, as per the law laid down in Kuldeep Singh @ Keepa (supra). Nothing has been recovered from the accused/ applicant, rather has has been nominated in the present case under Section 29 of the NDPS Act. The accused/applicant has been arrested in this case on 10.6.2025. The challan in the present case has already been effected. The conclusion of trial will take considerable time. Criminal liability of the accused/ applicant, if any, shall be determined on culmination of the trial. No useful purpose would be served by keeping the accused/ applicant behind the bars for an indefinite period. Hence, the application is allowed and the accused/ applicant is ordered to be released on bail subject to furnishing bail bonds in the sum of ₹ 30,000/- with one surety in the like amount, subject to the following terms:-

1. that accused/ applicant will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
2. that accused/ applicant shall not leave the country without prior permission of the court;

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3. that the accused/ applicant shall appear in the court on each and every date of hearing;
5. A copy of this order be sent to the accused/ applicant by e-mail through the Superintendent of the Jail concerned.
6. Papers be tagged with the main case file.

Pronounced in the open Court:

Dated: 07.07.2025

(Sanjeev Kumar, Stenographer)

(Shiv Mohan Garg)
Judge, Special Court, Moga.
UIDPB0164