


SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	<div style="text-align: right;"> <small>COURT'S OR JUDGES'S</small>  <small>2026:UHC:3770</small> </div>
			<p><u>BA1 No. 583 of 2026</u> Gurmej Singh alias GejuApplicant Vs. State of UttarakhandRespondent <u>Hon'ble Ashish Naithani, J.</u> Ms. Sarita Bisht, learned counsel for the Applicant.</p> <p>2. Mr. Deepak Bisht, learned Deputy Advocate General for the State of Uttarakhand.</p> <p>3. The present Bail Application has been moved by the Applicant—Gurmej Singh alias Geju, S/o Chimman Singh, R/o Devipura, Police Station Nanakmatta, District Udham Singh Nagar. The Applicant is in judicial custody in connection with FIR No. 81 of 2026, registered at Police Station Khatima, District Udham Singh Nagar, for offences punishable under Sections 8/21/60 of the Narcotic Drugs and Psychotropic Substances Act, 1985.</p> <p>4. Heard learned counsel for the parties and perused the record.</p> <p>5. Learned counsel for the Applicant submitted that the Applicant has been falsely implicated in the present case and is languishing in jail since 20.03.2026. It is further submitted that the alleged recovery shown from the possession of the Applicant is planted and that, although the alleged recovery is stated to have been made at a public place, no independent public witness was associated at the time of search and seizure, which creates serious doubt regarding the genuineness of the alleged recovery. It is further submitted that the mandatory provisions of the N.D.P.S. Act have not been complied with.</p> <p>6. Per contra, learned State Counsel opposed the bail application and submitted that there is no motive on the part of the prosecution to falsely implicate the present Applicant.</p>

7. After hearing learned counsel for the parties and upon perusal of the material available on record, this Court finds that no independent public witness was associated during the alleged search and seizure proceedings despite the alleged recovery having been effected at a public place. The submissions regarding non-compliance of the mandatory provisions of the N.D.P.S. Act also require consideration. Therefore, without expressing any opinion on the merits of the case, this Court is of the view that the Applicant has been able to make out a fit case for grant of bail.

8. Accordingly, the Bail Application is allowed.

9. Let the Applicant—Gurmej Singh alias Geju be released on bail upon furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

10. It is made clear that any observation made hereinabove is only for the purpose of adjudication of the present bail application and shall not be construed as an expression on the merits of the case.

11. All pending applications, if any, shall stand disposed of.

(Ashish Naithani, J.)

15.05.2026

Shiksha

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