

CRM-M-No.19287 of 2015 (O&M)  
Date of decision: 12.06.2015

Naresh Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Ashok K. Sharma, Advocate, for the petitioner.

Mr. Rajesh Bhardwaj, Addl. A.G, Punjab.

Rajesh Bindal, J.

This is a petition for grant of bail in FIR No.149 dated 26.07.2014 registered under Sections 22, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Patiala, District Patiala.

Learned counsel for the petitioner submitted that recovery of 850 capsules containing salt was made, when he was traveling on motorcycle on 26.07.2014. The same on testing was found to be 'tramadol hydrochloride' which is covered under Drugs and Cosmetics Act. Hence, no case under NDPS Act was made out. Recovery of 1200 capsules two days after the registration of the FIR is from Pardeep Kumar with which the petitioner is not connected. Petitioner was arrested on 26.07.2014 and he is in custody since then. He also referred to the order dated 15.05.2015 passed in CRM-M No.15279 of 2015 titled Gaurav Dhiman vs. State of Punjab, granting bail to the co-accused under similar circumstances.

In view of the aforesaid factual matrix, the petitioner is ordered to be released on bail pending trial on his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate, Patiala.

The petition stands disposed of.

12.06.2015  
m. sharma(Rajesh Bindal)  
Judge