

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-1947-2015 (O&M)

Date of decision : 30.01.2015

Ashok Kumar @ Kalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Joginder Singh.

JITENDRA CHAUHAN, J. (Oral)

This is second petition under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.228 dated 01.10.2013, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station Bhargo Camp, Jalandhar.

It is contended that only 12.68% i.e. 14-15 grams of Alprazolam was found in the intoxicating material weighing 115 grams, allegedly recovered from the petitioner. Therefore, the recovery is non-commercial.

On the other hand, the learned State counsel, on

ATUL SETHI
2015.01.30 15:27
I attest to the accuracy and
authenticity of this document
Chandigarh

instructions, states that as per the report of the Chemical Examiner, the salt of contraband is Alprazolam. The recovery is of commercial quantity.

Heard.

Keeping in view the fact that 115 grams of intoxicating substance containing Alprazolam salt was recovered from the petitioner, which falls under the category of commercial quantity, no case for grant of bail is made out.

Dismissed.

27.01.2015

atulsethi

(JITENDRA CHAUHAN)
JUDGE