

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20239 of 2015
Date of Decision : 02.07.2015

Amandeep Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. H.K. Brinda, Advocate
for the petitioner.

Mr. Gazi Mohd. DAG, Punjab.

R.P. Nagrath, J. (Oral)

Petitioner seeks bail under Section 439 Cr.P.C. in FIR No. 129 dated 22.11.2014 for offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, (for short 'the Act') Police Station Singh Bhagwantpur, District Rupnagar.

Learned State counsel has handed over a copy of report of the Forensic Science Laboratory (FSL) and contents of the sample of liquid sent for analysis has been found to be Codeine Phosphate 7.8 mg/5 ml. and Nitrazepam 1.42% of ingredient.

As per entry No. 28, in the Schedule to the Act, more than 1 kg. of the Codeine is commercial and the liquid of red colour which was recovered from the petitioner was weighing 1000 ml. which is therefore, non-commercial. The weight of Nitrazepam recovered was 10 gms. and as per entry at serial no. 221 of the Schedule it is small quantity as the non-commercial quantity is more than 20 gms.

The petitioner is in custody since 22.11.2014 and it will take some time in conclusion of the trial.

In view of the above and without commenting on merits of the case, the instant petition is allowed and petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial Court.

July 02, 2015
jk

(R.P. NAGRATH)
JUDGE