

210

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

**CRM-M No.2133 of 2015
Date of Decision: 07.04.2015**

ANGREZ SINGH @ CHHOTU

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Arshdeep S. Kler, D.A.G., Punjab.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.225 dated 21.11.2014 registered under Sections 22/61/85 of NDPS Act at P.S. Gate Hakima, District Amritsar City.

Learned counsel for the petitioner states that alleged recovery of intoxicating power i.e. 300 grams has been cateogrizd as Dextropropoxyphene Hydrochloride as per FSL report dated 21.11.2014. This drug finds mention at serial number 33 of the table wherein commercial quantity is shown to be 500 grams.

Accordingly grant of bail is being pressed on account of alleged recovery to be less than commercial quantity.

On the other hand, learned State counsel on instructions from ASI Swaran Singh states that petitioner was also involved in the case of similar nature wherein 260 grams of intoxicating power was recovered from his possession and the petitioner was granted bail in that case.

Keeping in view non-commercial quantity, this Court is of the view that regular bail can be granted with a rider that in case petitioner is found involved in any other case except the one mentioned above in addition to present one, the concession of bail granted to him would be forfeited.

Accordingly, this petition is allowed.

Let the petitioner be enlarged on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Amritsar.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 07, 2015.
Atik

(RAJ MOHAN SINGH)
JUDGE