

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

**CRM NO. M-37583 OF 2014 (O&M)
DECIDED ON : 23.01.2015**

Radhe Sham

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Ashwani Bhardwaj, Advocate and
Mr. Aditya Sanghi, Advocate and
Mr. Lokesh Sharma, Advocate,
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

K. C. PURI, J. (ORAL)

As per allegations of the prosecution, 1000 tablets of Alford 0.5 were recovered from the petitioner. As per report of the chemical examiner, Alprazolam salt was found in each tablet and average weight of each tablet was 0.5 mg and in this manner, the total weights comes to 200 gms.

Learned counsel for the petitioner has submitted that the content of each tablet was 0.47 mg and on that account, the quantity is non-commercial.

However, in view of notification dated 18.11.2009 by the Central Government, the entire mixture or any solution or any one or more narcotic drugs and psychotropic substances has to be taken in to consideration and not just its pure content. The Division Bench of this Court in authority "**Amarjit Singh alias Goldy vs State of Punjab and another**" **2013 (2) RCR (Criminal) 485**, has held that whole of the quantity has to be taken in to account.

So, no ground for grant of regular bail is made out.

Dismissed.

JANUARY 23, 2015
shalini

(K. C. PURI)
JUDGE