

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

CRM No. M-43915 of 2014
Date of Decision: 08.01.2015

Amritpal Singh @ Candi

..... Petitioner

Versus

State of Punjab

.... Respondent

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

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab.

K.C. PURI, J. (ORAL)

This is a petition under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No. 160, dated 23.05.2014, under Sections 22, 61 and 85 of NDPS Act, registered at Police Station Tripuri Town, Patiala.

As per allegation of the prosecution, 700 intoxicant tablets were recovered from the petitioner without any licence or permit. As per FSL report, the salt contained Diphenoxylate hydrochloride and weight of each of tablet was found to be 75 mg. in average.

Learned counsel for the petitioner has submitted that total weight in this manner comes to 52.5 grams, which is marginal higher than the commercial quantity of 50 grams. He has further submitted that only average weight has been taken and there may be error in weighment.

This Court in authority **Sera Singh Versus State of Punjab,**
2014(5) RCR (Criminal) 36 has granted the bail where the quantity

recovered was marginal higher than the commercial quantity. The petitioner is stated to be in custody since 23.05.2014. The trial is not concluded at an early date.

So, without commenting on the merits of the case, the present petition stands accepted and the petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of trial Court.

Disposed of.

January 08, 2015
dk kamra

(K.C. PURI)
JUDGE