

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-17621-2016

Date of decision : 25.05.2016

Vikas Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Brijeshwar Singh Bhalla, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

M.M.S.BEDI, J.(ORAL)

For having been found in possession of allopathic medicines containing Tramadol, Fortadol, Forridol and Alprazolam, the petitioner has been in custody w.e.f. January 7, 2016. The recovery was allegedly effected from the house adjacent to the shop of the petitioner for which he holds a licence to run a Chemist shop. A copy of the licence in Form 20-B under Rule 61 (1) of the Drugs and Cosmetics Rules has been placed on record. It is undisputed that the salts Tramadol, Fortadol and Ferridol do not fall within the ambit of provisions of the NDPS Act.

Prima facie the petitioner appears to have a plausible strong defence to keep in his possession the allopathic medicines containing Alprazolam.

Taking into consideration the period of detention suffered by the petitioner, he can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail

on his furnishing bail bonds/ surety bonds to the satisfaction of Special Judge, Moga.

(M.M.S. BEDI)
JUDGE

May 25, 2016.
Davinder Kumar