

**IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.**

TAPINDER SINGH MANN
20/03/2016 14:39

Cr. Misc. M 3779 of 2016
Date of decision: 21.3.2016

Sunil Kumar

Petitioner

VS.

State of Haryana

Respondent

Present: Mr. AS Virk, Advocate.
Mr. GS Salwara, DAG, Haryana

M.M.S.BEDI,J.

For having been found in possession of different quantities of medicines like Rexcof, Alprasafe, Tensiwin, Lopex, Spasmo Proxyvon and Microlit, the petitioner was arrested on 17.8.2015. While framing charges, the Special Judge has found that no offence under the Drugs and Cosmetics Act is made out against the petitioner.

Counsel for the petitioner relies upon a licence issued in the name of M/S Aggarwal Medicos to claim that the petitioner is licence holder but the name of the petitioner connected with M/S Aggarwal Medicos is not prima facie established. Be that as it may, the report of Drug Inspector is indicative of the fact that the quantity of each medicine recovered from the petitioner is non commercial. The petitioner has been in custody for the last about 7 months. He can be granted the concession of bail as the bar u/s 37 NDPS Act is not applicable. Challan has already been presented.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial court/ Magistrate.

March 21 ,2016
TSM

(M.M.S.BEDI)
JUDGE