

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

**208**

**CRM-M-40128-2015**

**Date of Decision: February 17, 2016**

MOHINDER KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

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

Present: Mr.Kunal Siag, Advocate for the petitioner

Ms.Simsi Dhir Malhotra, DAG, Punjab.

**M.M.S.BEDI, J.(Oral)**

For having been found in possession of 400 tablets of Ninder along with 140 tablets of Fortadol containing Alprazolam and Tramadol Hydrochloride respectively, the petitioner has been in custody w.e.f. 19.10.2015. Tramadol does not fall within the preview of the NDPS Act as per chemical examiner report. Each tablet of Alprazolam weigh 0.125 gram. The total weight of tablets containing Alprazolam would be 50 grams whereas 100 gram is prescribed as commercial quantity.

Learned Judge Special Court has dismissed the application for bail observing that the recovery effected is on **higher side**.

Taking into consideration the period of detention suffered by the petitioner and non-commercial quantity of Alprazolam having been recovered from the petitioner, he can be granted the concession of bail. Petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the trial Court.

**February 17, 2016**  
**TSG**

**( M.M.S.BEDI )  
JUDGE**