

Sr. No. 220

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

**CRM No. M-42282 of 2015
Date of Decision: 28.01.2016**

Baldev Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. H.P.S.Ishar, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.44 dated 10.08.2014, under Sections 18 and 22 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered at Police Station Kabirpur (Ahlikalan), District Kapurthala.

As per prosecution version, the alleged recovery from the present petitioner is of 105 gram of Alprazolam.

It has gone uncontroverted that 100 grams and above of such contraband would be construed as commercial quantity. Alleged recovery from the present petitioner is marginally over and above the commercial quantity. Petitioner is not stated to be involved in any other proceedings under the NDPS Act.

Without making any observations on merits, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

Disposed of.

28.01.2016

**(TEJINDER SINGH DHINDSA)
JUDGE**