

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-9754 of 2016

Date of Decision: March 18, 2016

Gurcharan Singh @ Channa

.....Petitioner

Vs.

State of Punjab

.....Respondent

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

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

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

For having been found in possession of 100 grams of salt containing Alprazolam, the petitioner has been granted the concession of interim bail. On receipt of report of FSL, the petitioner is required to surrender before the Court/ jail authorities.

Application filed for grant of pre-arrest bail has been dismissed on the ground that 100 grams of Alprazolam will fall in commercial quantity. The said observation appears to be apparently wrong.

Be that as it may, the petitioner can not be granted, as a matter of right, concession of pre-arrest bail on expiry of interim bail period granted for a particular purpose i.e. for awaiting the report of chemical examiner.

This petition is dismissed. Nothing said in this order will prejudice the rights of the petitioner to surrender and seek the concession of regular bail, the quantity of Alprazolam being a non-commercial quantity as per definition of Section 2 (vii) (a) of the NDPS Act, as any amount greater than 100 grams of Alprazolam will bring the quantity within the ambit of commercial quantity.

March 18, 2016
sanjay

(M.M.S.BEDI)
JUDGE