

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

207

CRM-M-16637 of 2017 (O&M)
DATE OF DECISION:16.08.2017

Saurabh Arora @ Ludi

... **Petitioner**

Versus

State of Punjab

... **Respondent**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Rishu Mahajan, Advocate
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking pre-arrest bail in FIR No.235 dated 11.06.2015, under Sections 21/22/61/85 of the NDPS Act and Sections 379/411 IPC registered at Police Station A Division, Amritsar.

Learned counsel for the petitioner contends that 100 capsules of parvon spas recovered from the petitioner. He further contends that the petitioner had earlier been granted interim bail by the trial Court but as the petitioner had been admitted in a Drug Counselling and Rehabilitation Centre, he could not appear in the Court and was consequently declared as proclaimed offender. A coordinate Bench of this Court by the order dated 25.05.2017 had directed that in case the petitioner puts in appearance before the trial Court, he would be entitled to interim bail subject to satisfaction of the trial Court. He also contends that in terms of interim order dated 25.05.2017, the petitioner has appeared before the trial Court and has been granted interim bail.

Learned State counsel, upon instructions from ASI Bikram Singh states that as per the report of the Chemical Examiner, each capsule of parvon spas contains 63.90 mg dextropropoxyphene and total of 6.39 grams of dextropropoxyphene has been recovered from the petitioner.

In terms of the order of a coordinate Bench passed on

25.05.2017, the petitioner is already stated to have appeared before the trial Court. The recovery of 6.39 grams of dextropropoxyphene is way below the threshold of 500 grams of commercial quantity.

Therefore, the order dated 25.05.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

August 16, 2017
jt

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No