

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24728-2017

Decided on : July 19, 2017

DHARMINDER SINGH

....PETITIONER

VERSUS

STATE OF U.T., CHANDIGARH

....RESPONDENT

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Samir Rathaur, Advocate
for the petitioner.

Mr. G.S. Chahal, APP, UT, Chandigarh.

RAMENDRA JAIN, J (ORAL)

Prayer in the instant petition under Section 439 of the Code of Criminal Procedure, 1973 has been made for grant of regular bail to the petitioner-Dharminder Singh in a case FIR No.93 dated 04.03.2017 registered at Police Station, Sector 31, Chandigarh.

As per the prosecution, the police during normal checking of vehicles, apprehended the petitioner on his getting perplexed by seeing the police party and turning back. 25 injections of Buprenorphine injection IP Omega SIC IM/IV-2 ml were found from his possession without any permit of licence in commercial quantity.

Learned counsel for the petitioner taking the aid of '*Saleem Mohd. Versus State of Punjab*, 2015(5) *Law Herald*, 3939 and '*Gurdev Singh versus State of Punjab*', 2017(1) *Law Herald* 322 urged that there

is no requirement of any prescription slip even for possessing 100 doses of such like Psychotropic substance. In the instant case, the petitioner was having only 25 injections, therefore was not required to obtain any prescription slip.

On the other hand, learned counsel for the UT submits that the Psychotropic substance recovered from the petitioner falls within the definition of commercial quantity.

In view of the totality of the facts and circumstances, but without commenting upon the merit of the case, this court is not inclined to grant concession of regular bail to the petitioner as he was apprehended with “commercial quantity” of Psychotropic substance. The facts and circumstances of the case referred to above are distinguishable from the facts of the present case inasmuch as, they relate to some tablets, whereas in the instant case, injections have been recovered from the petitioner.

Dismissed.

July 19, 2017

rajneesh

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No