

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

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**CRM-M-30295 of 2017
DATE OF DECISION:04.09.2017**

SURJIT SINGH @ SEETA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Satwant Mehta, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.44 dated 03.05.2014, under Sections 21/22 of NDPS Act, 1985, registered at Police Station Rajasansi, District Amritsar (Rural).

Learned counsel for the petitioner contends that allegations against the petitioner in the FIR are that he fled away from the spot and from the search of bag which was left behind, 350 capsules of Parvon Spas, which as per the report of chemical examiner, contained 222.95 gms of Dextropropoxyphene and 200 tablets of microlit which comprised of 14.5 gms of Diphonoxylate, were recovered. The recovery is way below the threshold of commercial quantity of 500 gms of Dextropropoxyphene and 50 gms of Diphonoxylate.

Learned counsel further states that the petitioner was also found innocent in the investigation and cancellation report was filed in Court, however, he was summoned to face trial.

Heard.

The recovery, which is stated to be effected from bag allegedly left behind by the petitioner, is way below the commercial quantity. He was also found innocent in investigation and cancellation report was filed. He was later summoned to face trial by the trial Court. Therefore, I deem it to be a fit case to grant the concession of anticipatory bail.

Consequently, the instant petition is allowed. The petitioner shall surrender before the trial Court and the trial Court shall release the petitioner on bail on his furnishing bail bonds to its satisfaction. He shall also keep appearing before the trial Court on each and every date of hearing. In case, he does not appear on any date without prior exemption from the trial Court, the bail bonds shall stand cancelled.

September 04, 2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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