

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

**CRM-M No.7205 of 2017
Date of Decision: 05.04.2017**

Satnam Singh

.....Petitioner

Versus

State of Punjab

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. S.K. Gupta, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab.

RAJ MOHAN SINGH, J.(ORAL)

Petitioner is accused of Section 22 of the NDPS Act. The alleged recovery effected from the petitioner is of 550 grams of intoxicant material which was subsequently detected to be Nitrazepam. The alleged recovery is marginally above than the prescribed quantity ,meant for commercial quantity.

Learned counsel for the petitioner submits that the alleged recovery is slightly more than the prescribed limit and the petitioner is entitled for bail on the strength of observations made in **CRM-M No.7311 of 2015** titled **Baljinder Singh @ Bindi Vs. State of Punjab** decided on 01.04.2015 and **Gurdev Singh and others Vs. State of Punjab, 2003 (3) RCR (Criminal) 198.**

The trial of the case in terms of Section 22 of the NDPS act would also be debatable in view of Government of India

Notification Nos.SO 826 (E) dated 14.11.1985 and SO 40(E) dated 29.01.1993.

In view of the above, without advertng to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Let the petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

05.04.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No