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

CRM-M No.7999 of 2017

Date of Decision: 05.04.2017

Kuldeep Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Prayer in this petition is for grant of regular bail under
Section 439 Cr.P.C in case bearing FIR No. 93, dated
03.10.2015, under Sections 21/22 of Narcotic Drugs and
Psychotropic Substances Act, 1985, registered at Police Station
Valtoha, District Tarn Taran.

The alleged contraband recovered from the petitioner
is 150 grams of alprazolam.

Alprazolam is covered as per Serial No. 30 of the Schedule appended to Narcotic Drugs and Psychotropic Substances Act, 1985. According to the recommendations of the Legal Committee, alprazolam is also covered under Schedule (H) of the Drugs and Cosmetics Act, 1940.

In view of Parveen @ Dunga Vs. State of Punjab 2014 (33) R.C.R. (Criminal) and Rachhpal Singh @ Goldi Vs. State of Punjab bearing CRM-M No. 34998 of 2016 decided on 15.02.2017, the issue appears to be debatable as to the applicability of both the aforesaid Acts.

In view of above, I deem it appropriate to enlarge the petitioner 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 opinion on merits of the case.

April 05, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No