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

**CRM-M No.8634 of 2017
Date of Decision: 05.04.2017**

Jarnail Singh @ Jaila

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashok Giri, 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. 52 dated 24.05.2015 under Section 21/22/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Banga, District S.B.S. Nagar.

The alleged recovery made from the petitioner is of 260 grams of narcotic powder, which was detected to be alprazolam on analysis. The petitioner was granted interim bail and the same was cancelled on receipt of chemical examiner's report.

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 Review Committee, alprazolam is also covered under Schedule (H) of the Drugs and Cosmetics Act, 1940.

Learned counsel for the petitioner by relying upon order dated 15.02.2017, passed in the case of **Rachhpal Singh @ Goldi Vs. State of Punjab** bearing **CRM-M No. 34998 of 2016**, order dated 28.02.2017, passed in the case of **Punjab Singh @ Punjab Vs. State of Punjab** bearing **CRM-M No. 6108 of 2017** and **Parveen @ Dunga Vs. State of Punjab 2014 (33) R.C.R. (Criminal) 46** contends that the issue is debatable as to the applicability of both the aforesaid Acts.

Learned State counsel on instructions from ASI Khushwinder Singh submits that out of total eleven prosecution witnesses, only one prosecution witness has been examined so far and now the next date fixed before the trial Court is 10.04.2017 for examination of the remaining prosecution witnesses.

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