

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

**CRM-M No.9242 of 2017
Date of Decision: 06.04.2017**

Hakam Singh

.....Petitioner

Versus

State of Punjab

... Respondent

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

Present:Mr. J.S. Rattu, Advocate
for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab.

RAJ MOHAN SINGH, J.(ORAL)

As per prosecution case, 45 strips of Pindol Forte containing 10 tablets each, totaling 450 tablets and 100 strips of Zalpra containing 10 tablets each, totaling 1000 tablets were allegedly recovered from the petitioner. On analysis, the same were found to be of Alprazolam salt. Alprazolam is covered under Serial No.30 of the Schedule appended to NDPS Act 1985. In view of the recommendations of the review committee, Alprazolam is also covered under Schedule H of the Drugs and Cosmetics Act 1940. Alprazolam being a manufacturing drug is punishable under Section 21 of the NDPS Act. The trial of the case under Section 22 of the NDPS act would be on debatable issue.

In view of **Rachhpal Singh @ Goldi Vs. State of Punjab** in **CRM-M No.34998 of 2016** decided on 15.02.2017,

Punjab Singh @ Punjab Vs. State of Punjab in **CRM-M No.6108 of 2017** decided on 28.02.2017 and **Parveen @ Dunga Vs. State of Punjab 2014 (33) RCR (Criminal) 46**, the issue as to the culpability of both the acts would remain debatable.

In view of above, without adverting to the merits of the case, it will be just and expedient to grant concession 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.

06.04.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No