

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

268

CRM-M No.14804 of 2018

Date of Decision: April 20th, 2018

Gursewak Singh

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by asserting that the recovery which has been made from the petitioner is although of 1000 tablets of Alprazolam but each tablet weighs 0.5 milligrams which comes to 50 grams of Alprazolam, whereas commercial quantity for Alprazolam is 100 grams as per Entry No.178 in Schedule 1 of the NDPS Act.

Counsel for the petitioner contends that the petitioner was arrested on 22.12.2017 and is in custody since then.

Having considered the submissions made by the counsel for the petitioner and keeping in view the fact that the recovery which has been effected from the petitioner is non-commercial, with the challan till date having not been presented and, therefore, the trial has not yet started, which is not likely to conclude in near future and as per the custody certificate, there is no other case registered or pending against the petitioner, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/trial Court, Fazilka.

April 20th, 2018

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No