

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

212

**CRM-M-21577-2018
DATE OF DECISION:30.05.2018**

RUPINDER SINGH @ BHOONDI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 19, dated 27.01.2018, under Sections 22/61/85 of NDPS Act, registered at Police Station Sirhind District Fatehgarh Sahib.

Learned counsel for the petitioner contends that 06 injections of Avil and 06 injections of Buprenorphine each containing 02 ml have been recovered from the petitioner. Avil does not fall under the NDPS Act. Learned counsel for the petitioner cited the judgment of a coordinate Bench of this Court in CRM-M-15370 of 2018 decided on 23.04.2018 relying upon the judgment of another coordinate Bench in CRM-M-30008 of 2017 decided on 06.10.2017, wherein the petitioner was found to be in possession of 40 injections of Buprenorphine each containing 2 ml and concession of regular bail was granted to him. He has also relied upon the judgment of a coordinate Bench of this Court in CRM-M-1400 of 2018 decided on 19.01.2018 wherein the petitioner, who was found in possession of

12 injections of Buprenorphine each containing 2 ml, was granted regular bail after about three months custody. He also contends that even if it is taken that 1 ml is equivalent to 1 mg although equivalence will depend on the density of the liquid, even then the recovery effected from the petitioner would fall on the border line of commercial quantity. He further contends that the petitioner is in custody for over 03 months and is not involved in any other case.

Learned State counsel has filed the custody certificate which indicates that the petitioner is in custody for 03 months and 26 days on 23.05.2018. Learned State counsel contends that 06 injections of Buprenorphine each containing 02 ml were also recovered from another person, who was travelling with the petitioner on the motorcycle.

Heard.

In view of the submissions of learned counsel for the petitioner and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Rupinder Singh @ Bhoondi is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

30.05.2018

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No