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

CRM-M No.3702 of 2018
Date of Decision: 02.02.2018

Sewak Singh

....Petitioner

Vs

State of Haryana

.....Respondent

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

Present: Mr. G.S. Sidhu, Advocate,
for the petitioner.

Ms. Neelam Kashyap, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

1. Petitioner is accused of offence under Section 21 of the NDPS Act in FIR No.0077 dated 19.03.2017 registered at Police Station Kalanwali, District Sirsa.

2. He was apprehended on the basis of suspicion. From the right pocket of kurta of the petitioner, 500 tablets of Alprazolam and 23 strips of Alpax-05 were allegedly recovered. Each strip was also containing 10 tablets of Alprazolam. In this way, total 730 tablets of contraband were recovered from the petitioner.

3. As per FSL report, the contraband was containing salt of Alprazolam. The total weight of the tablets was found to

be 102.2 grams. Alprazolam finds mention at Serial No.178 of the Schedule. The quantity upto 100 grams is non-commercial quantity.

4. Learned counsel for the petitioner submits that the alleged recovery is marginally excess than the prescribed limit and therefore, prayer of the petitioner on regular bail can be considered.

5. Since the alleged recovery is marginally excess than the prescribed limit of non-commercial quantity and the petitioner is in custody since 19.03.2017, I deem it appropriate to enlarge the petitioner on regular bail.

6. In view of above, the petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

7. Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

02.02.2018

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No