

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

212

CRM-M-49936-2017

Date of Decision: January 12, 2018

Bittu Ram

.....Petitioner(s)

versus

State of U.T. Chandigarh

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. A.K. Lamdhawa, APP, U.T. Chandigarh

Sudhir Mittal, J. (Oral)

The petition has been filed under Section 439 Cr.P.C for grant of regular bail in case FIR No. 134, dated 12.07.2017, under Sections 22 of NDPS Act, 1985 registered at P.S. East, Sector 26, Chandigarh.

2. Learned counsel for the petitioner contends that the recovery from him is 30 injections of Buprenorphine omgeric of 2 ml each and 30 injections of Pheniramine Maleate of 10 ml each. According to his submission, Buprenorphine omgeric is a small quantity and one gram is equivalent to 3333.33 ml. Thus, recovery from the petitioner is less than the small quantity prescribed in the schedule under the Act. Regarding Pheniramine Maleate, it is submitted that the same is not narcotic substance and is not a scheduled drug. He further submits that the petitioner has been in custody since 12.07.2017.

3. The learned State counsel has not been able to rebut the submissions of the learned counsel for the petitioner.

4. In view of the above, this petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court/Judge, Special Court concerned.

January 12, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No