

Sr. No.213

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

**CRM-M-54573-2018
Date of decision:14.12.2018**

Jassa Singh @ Bachittar Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Ms. Jigyasa Tanwar, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.70 dated 03.05.2018 for the offences punishable under Sections 22,61,85 of the NDPS Act, 1985 registered at Police Station Sardulgarh, District Mansa.

Learned counsel for the petitioner contends that even as per the case of the prosecution, the alleged recovery from the petitioner is of 500 tablets of TREDOL-100, containing prohibited substance of Tramadol Hydrochlorid. However, as per the FSL Report, the actual quantity of the prohibited substance found in this entire recovery is about 49.18 gms, which is much less than the commercial quantity prescribed for this prohibited substance. In support of his contention learned counsel for the petitioner has relied upon the judgment of this Court rendered in **CRM-M-35080-2018; Rajvir Singh @ Raju vs. State of Punjab** decided on **21.08.2018**. It is further contended by learned counsel for the petitioner that the petitioner is

in custody since 03.05.2018. He is no more required for investigation purposes.

On the other hand learned State counsel, being instructed by ASI Kulwant Singh, submits that the recovery from the petitioner is of 500 tablets of TREDOL-100. However, it is not disputed that the actual quantity of the prohibited substance detected as per the FSL Report, in the entire recovery, is less than the commercial quantity and that there is no other case against the petitioner under NDPS Act.

In view of the above, but without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

14th December, 2018

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*