

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6283-2019 O&M)
Date of Decision:- 22.7.2019

Pardeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Aggarwal, Advocate, for the petitioner.

Ms. Amarjit Kaur Khurana, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.53, dated 10.7.2018, Police Station Valtaha, District Tarn Taran, under Section 22 NDPS Act.
2. It is the case of prosecution that on 10.7.2018, the petitioner along with his co-accused Narinder was apprehended while they were going on a motorcycle. A search of the petitioner yielded recovery of 800 tablets of Limotil. The search of co-accused Narinder led to recovery of 420 tablets of Limotil. As per report of FSL, the said

recovered tablets were found to be contained 'Diphenoxylate' and each of the tablets weighed 64 mg. In other words the quantity recovered from the petitioner i.e. 800 tablets would weigh 51.2 grams which would be marginally above the 'commercial quantity' which is defined as 50 grams.

3. Learned State counsel, upon instructions from ASI Harminder Singh, informed that the petitioner is not wanted in any other case. The co-accused from whom 420 tablets of Limotil were recovered has already been granted bail by the trial Court itself.
4. Bearing the aforesaid facts in mind that it is a case of recovery of a quantity which is marginally above the 'commercial quantity' and more particularly the fact that the petitioner is not wanted in any other identical case, the petition, is accepted and petitioner Pardeep Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
5. The present petition stands accepted accordingly.

July 22, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No