

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

CRM-M No.15131 of 2019 (O&M)
DATE OF DECISION : 22nd NOVEMBER, 2019

Ranjeet Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Jagjit Singh, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.150 dated 04.11.2018 registered under Section 22 of Narcotics Drugs & Psychotropic Substances Act, 1985 at Police Station City Rampura, District Bathinda.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. It is further submitted that even as per the case of the prosecution, the alleged recovery from the petitioner is of 1790 tablets of Tricare-SR Tramadol, containing prohibited substance Tramadol Hydrochloride. It is further submitted that as per the report of FSL, the quantity of the prohibited substance Tramadol Hydrochloride found in the recovery is only 98.72 mg/tablet, which is less than even the small quantity prescribed for the substance. Learned counsel for the petitioner has placed reliance on judgment of this court passed in *CRM-M-35080 of 2018 – Rajvir Singh @ Raju v. State of*

Punjab decided on 21.08.2018, to support his contention. It is further submitted that there is no other case against the petitioner. The petitioner is in custody since 04.11.2018. It is further submitted that challan has been presented and the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State, on instructions, submits that the petitioner has been found in possession of 1790 tablets containing Tramadol Hydrochloride. Therefore, a huge recovery of prohibited substance has been made from him. However, it is not disputed that as per the FSL report total quantity of prohibited substance found in the entire recovery is 98.72mg/tablet. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

22nd NOVEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>