

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

CRM-M No.15760 of 2019 (O&M)
DATE OF DECISION : 19th NOVEMBER, 2019

Vikramjit Singh alias Duni

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, 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.33 dated 09.02.2019 registered under Section 22 of Narcotics Drugs & Psychotropic Substances Act, 1985 at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

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 94 strips (containing 10 tablets each) of Clovitol-100 Tramadol Hydrochloride IP 100 MG. It is further submitted that as per the report of FSL, total quantity of the prohibited substance Tramadol Hydrochloride found in the entire recovery is only 92.966 grams (98.90 mg/tablet), which is less than even the commercial 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 09.02.2019.

On the other hand, learned counsel for the State, being instructed by ASI Amarjit Singh, submits that the petitioner has been found in possession of 940 tablets of Clovitol-100 containing Tramadol. 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 92.966 grams. 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.

19TH 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>