

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

**CRM-M No.21683 of 2019**  
**DATE OF DECISION : 11<sup>th</sup> SEPTEMBER, 2019**

**Satnam Singh**

**.... Petitioner**

**Versus**

**State of Punjab**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

\* \* \* \*

Present : Mr. Amit Arora, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

\* \* \* \*

**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.213 dated 30.11.2018 registered under Section 22 of Narcotics Drugs & Psychotropic Substances Act, 1985 at Police Station Division B, District Amritsar.

It is contended by learned counsel for the petitioner that the case against the petitioner has been wrongly thrust by the Police. It is further submitted that even the gazetted officer was not called on the spot. Even as per the case of the prosecution the alleged recovery from the petitioner is of 1000 tablets of Tramadaol, allegedly containing prohibited substance Tramadaol Hydrochloride. As per the FSL report the total quantity of the prohibited substance found from the entire recovery is only 99.2 grams, which is much less than 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. However, it is further submitted that there is no other case of any kind against the petitioner. It is also submitted that the petitioner is in custody since 30.11.2018. The charge has already been framed and the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State submits that there has been huge recovery of 1000 tablets of prohibited substance from the petitioner. However, it is not disputed that the actual quantity of the prohibited substance detected in the entire recovery is 99.2 grams, which is much less than the commercial quantity prescribed for the substance. It is also not disputed that there is no other case against the petitioner and that the petitioner is in custody since 30.11.2018.

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.

**11<sup>th</sup> SEPTEMBER, 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> |