

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

**CRM-M No. 27906 of 2019
Date of Decision:-10.07.2019**

Varinder Singh alias Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Ankur Malik, Advocate
for the petitioner.

Mr. Hitten Nehra, Additional A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Varinder Singh alias Billa has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0108 dated 17.10.2017, under Section 22 and 61 of NDPS Act, registered at Police Station Bahawala, District Fazilka.

As per FIR, on 17.10.2017 during patrolling and checking for suspicious persons, the police party reached near the High School of Seetu Gunno, where one young person was seen coming who was carrying a polythene bag in his right hand. On seeing the police party, the said person suddenly took right turn towards fields of cotton but he was apprehended by the police. On search total 975 tablets of Alprazolam and 1525 other tablets

were recovered.

Learned counsel for the petitioner contends that as per FSL Report, the pure contents in each tablet was found to be .47 mg, therefore, total 458.2 mg pure contents alleged to be recovered from the petitioner. He further contends that as per the FSL Report, recovery of pure contents falls in the category of non-commercial quantity. He further contends that the petitioner is in custody since the date of arrest i.e. 17.10.2017 and no useful purpose would be served by keeping the petitioner behind the bars.

On the other hand, learned State counsel has opposed the prayer for grant of bail on the ground that the weight of contraband recovered from the petitioner is 113 grams, which is more than the commercial quantity i.e. 100 grams. Learned State counsel further submits that there is another case of similar nature pending against the petitioner.

Considering the above, this Court does not find it proper to grant the concession of bail to the petitioner. Resultantly, the petition is hereby dismissed.

July 10, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No