

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

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1. CRM-M No. 36015 of 2019 (O & M)
Date of decision : 7.12.2019

Jagjit Singh @ JassiPetitioner

Vs.

State of PunjabRespondent

2. CRM-M No. 38258 of 2019

Flel SinghPetitioner

Vs.

State of PunjabRespondent

CRM-M No. 40801 of 2019

Gurpreet Singh @ GaggiPetitioner

Vs.

State of PunjabRespondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Pardeep Singh Mirpur, Advocate
Mr. Jasdeep Singh, Advocate and
Mr. G.S. Khokhar, Advocate
for the petitioners

Ms. Amarjit Kaur Khurana, DAG, Punjab

Rajbir Sehrawat, J. (Oral)

CRM No. 25955 of 2019 in CRM-M No. 36015 of 2019 :

Allowed as prayed for.

Main Cases :

This order shall dispose of above mentioned three petitions being

the FIR is the same and the recovery from all the petitioners is joint.

The present petitions have been filed by the petitioners under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 121 dated 1.5.2019, registered under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act), at Police Station Talwandi Sabo, District Bathinda.

It is contended by learned counsel for the petitioners that the cases against the petitioners are totally concocted. But even as per the case of the prosecution, recovery from all the petitioners is 400 tablets of tredol-100 mg. However, as per the FSL report, actual quantity of tramadol hydrochloride found in the tablets is 40 grams, which is much less than the commercial quantity prescribed for the substance under the NDPS Act. The counsel for the petitioners has relied upon the judgment of this Court rendered 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 contended that the petitioners are in custody since 1.5.2019.

On the other hand, learned counsel for the State, being instructed by the police official, submits that a heavy recovery of prohibited substance was effected from the petitioners. However, the result of the FSL report has not been disputed by the State counsel. It is also not disputed that the petitioners are in custody since 1.5.2019.

In view the above, but without expressing any further opinion on the merits of the case, the present petitions are allowed. The petitioners are ordered to be released on bail pending trial subject to their furnishing bail

bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

A photocopy of this order be placed on the files of the connected cases.

(RAJBIR SEHRAWAT)
JUDGE

7.12.2019
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No