

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37380-2019 (O&M)

Date of decision :28.11.2019

Veerpal Singh @ Vicky

.....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Meenu Salwan, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail in a criminal case arising out from FIR No.0063, dated 14.04.2019, registered under Section 22 of the NDPS Act, 1985, at Police Station Sadar Patti, District Tarn Taran.

As per the case of the prosecution, petitioner was found in conscious possession of 1440 loose tablets which as per the report of chemical examiner are found to contain alprazolam which is a prohibited substance 0.38 mg per tablet.

Learned counsel for the petitioner has submitted that the total weight of the salt alprazolam is calculated, it would come to 547.2 mg. He, however, submitted that if the pure contents are seen, total quantity of the salt is less than one gram and therefore, falls in small quantity. Investigations are complete. Police report as required under Section 173 Cr.P.C has been filed. In support thereof, he has relied upon judgment passed by this court in the case of **Rajbir Singh @ Raju vs. State of Punjab,**

2018(4) RCR (CrL)375.

This court has considered the submission.

The judgment passed in the case of **Rajbir Singh**(supra) is under consideration before a Division Bench pursuant to an order of reference in the case of CRM-M-28002 of 2018(**Anil Kumar alias Nehla versus State of Punjab**)

Still further, the matter is also being considered by a larger Bench pursuant to a reference by the Hon'ble Supreme court in the case of **Hira Singh and another vs. Union of India and another, (2017) 8 SCC 162.**

In view thereof, this court is not inclined to order release of the petitioner, at this stage. The present petition is disposed of by observing that petitioner shall be entitled to move a fresh application after the references by the larger Bench are decided.

November 28, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No