

S.No.221

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

**CRM No.33322 of 2019 in/and
CRM-M-43837 of 2019 (O&M)
Date of Decision:11.12.2019**

**Randhir Singh @ Dhira
Vs.
State of Punjab**

**.....Petitioner
.....Respondent**

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.K. Singla, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, 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.92 dated 09.06.2019 registered under Sections 22 and 25 of NDPS Act at Police Station Boha, District Mansa.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the alleged recovery from the petitioner is of 380 tablets of TREDOL – 100 containing prohibited substance Tramadol Hydrochloride. However, as per the FSL report, the actual quantity of the prohibited substance found in the entire recovery is 37.62 grams, which is less than the commercial quantity. Learned counsel for the petitioner has relied upon the judgment of this Court 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 the petitioner is in custody in this case since 09.06.2019 and that there is no other case against the petitioner.

On the other hand, learned State Counsel, submits that there has

been a heavy recovery from the petitioner. However, he has not disputed the FSL report. It is also not disputed that there is no other case pending against the petitioner as of today.

In view of the above, but without commenting any further 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.

December 11, 2019
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Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No

(RAJBIR SEHRAWAT)
JUDGE