

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

232

CRM-M-44671-2019(O&M)

Date of Order: 24.10.2019

PARVEEN KUMAR TONDON

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Nand Lal Sammi, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

Petitioner prays for bail in FIR No.229, dated 11.12.2018, registered under Sections 22/61/85 of the NDPS Act, 1985, at Police Station Sadar Nakodar, District Jalandhar.

As per the allegations, 68800 tablets of Alprazolam, 42500 tablets of Clovidol and 30000 capsules of Foridol i.e. Tramadol were recovered from boxes lying in the car.

Learned counsel for the petitioner submits that there is non-compliance of Section 50 of the NDPS Act as no option was given before carrying out the search. The search and seizure is from the car and not from the person. Hence, Section 50 of the NDPS Act is not applicable. Reference in this regard can be made from the judgment passed by 3 Judges Bench of Hon'ble Supreme Court on 15.10.2019 in the case of **State of Punjab vs. Baljinder Singh and another (SLP (crl.) Nos.5659-5660-2019.**

Hence, dismissed.

October 24, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No