

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

CRM-M-6071-2020

Date of decision: 4.3.2020

VIJAY KUMAR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

**CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

Present: Mr. Parminder Singh Sekhon, Advocate  
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab  
assisted by ASI Rajbir.

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**GURVINDER SINGH GILL, J. (ORAL)**

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.125 dated 24.7.2019 at Police Station City Samana, District Patiala under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The case of prosecution is that the Gurmeet Kaur @ Kaati along with co-accused namely Mohan Singh was found in possession of 500 tablets of 'Alprazolam', in the house of the petitioner-Vijay Kumar who succeeded in running away. It is further the case of prosecution that one Kanto was also nabbed from adjacent house from whose possession 340 tablets of Alprazolam were recovered.
3. As per report of FSL, each of the tablet was found to be weighing an average of 140 mg. per tablet. The total weight of recovered 500 tablets of

‘Alprazolam’, thus, works out to 70 grams.

4. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that he was not arrested at the spot and since co-accused namely Mohan Singh has already been granted regular bail, the petitioner, in any case, deserves the concession of bail on grounds of parity.
5. Opposing the petition, learned State counsel has submitted that since huge quantity of tablets were recovered from the petitioner, no case for grant of bail is made out.
6. Having regard to the facts and circumstances of the case and the fact that petitioner has been behind bars since the last about 4 months and admittedly, the aforesaid recovery attributed to the petitioner would fall within quantitative limits of ‘non-commercial’ quantity, further detention of the petitioner would not serve any useful purpose as the conclusion of trial is likely to take some time.
7. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**( GURVINDER SINGH GILL )**  
**JUDGE**

4.3.2020  
Gaurav Sorot

Whether reasoned / speaking?      **Yes / No**

Whether reportable?      **Yes / No**

