

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 6339 of 2020

Date of Decision: 06.10. 2020

Ashok Kumar alias Goldi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Fariad Singh Virk, Advocate
for the petitioner(s).

Mr. Randhir Singh Thind, Deputy Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

The petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No. 224 dated 11.09.2019, registered under Section 22 & 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as “the 1985 Act”), at Police Station Patran, District Patiala.

As per the case of the prosecution, the petitioner was allegedly found in conscious possession of 1000 intoxicated tablets of white colour packed in a strip labeled as “Clovidol-100SR” (Tramadol Hydrochloride Tablets I.P.). The average weight of a tablet is 407 mg. Thus, the total weight of the intoxicated tablets comes to 407 grams, which falls in the category of commercial quantity.

Learned counsel for the petitioner contends that the petitioner is

in custody for a period of more than one year and the trial of the case is not

progressing on account of the restricted functioning of the Courts due to the spread of COVID-19.

On the other hand, Mr. Randhir Singh Thind, Deputy Advocate General, Punjab, has submitted that the quantity recovered from the petitioner falls in the category of commercial quantity. He further contends that in view of Section 37 of the 1985 Act, the petitioner does not deserve the concession of regular bail.

This Court has heard the learned counsel for the parties and with their able assistance, perused the paper-book.

The alleged recovery from the petitioner falls in the category of commercial quantity. The Forensic Science Laboratory has reported that the tablets contained Tramadol Hydrochloride, a prohibited substance,

Keeping in view the aforesaid facts, no ground is made out to grant the concession of regular bail to the petitioner and hence, the present petition is dismissed.

(Anil Kshetarpal)
Judge

October 06, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No