

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22008-2020 (O&M)
Date of Decision:-5.10.2020

Gurdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

(proceedings conducted through video conferencing)

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.54 dated 19.5.2020 at Police Station Talwandi Bhai, District Ferozepur under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein the allegations against the petitioner are to the effect that he was found in possession of 330 tablets of 'Tramadol'.
2. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that infact it is a case of non-commercial quantity.

3. Opposing the petition, the learned State counsel has submitted that since the petitioner was caught red handed alongwith contraband, therefore, no case for grant of bail is made out. The learned State counsel, upon instructions from SI Gurpreet Handa, has informed that in the present case report of Forensic Science Laboratory (FSL) has been received as per which the weight of each of the tablets was approximately 409.28 mg. and that the total weight of the recovered 330 tablets of 'Tramadol' would thus work out to about 135 grams approximately, which is less than the commercial quantity, which is prescribed as 250 grams. The learned State counsel has also informed that the petitioner is not involved in any other case and that challan already stands present in the present case.
4. Having regard to the fact that it is a case of recovery of 'non-commercial' quantity of contraband and that challan already stands presented and the petitioner is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5.10.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No