

SATNAM SINGH@ SODHI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Narinder Singh Lucky, Advocate
for the petitioner.

Mr. I.P.S.Doabia, Addl. AG, Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic).*

VIVEK PURI,J. (ORAL)

Briefly, the FIR bearing No.253 dated 14.07.2019 under Section 22 NDPS Act, 1985, at Police Station Phillaur, District Jalandhar Rural has been registered in pursuance of recovery of 15 injections of Avil of 10ml each and 15 injections of Buprenorphine of 2ml each.

It has been pointed out by the learned counsel for the petitioner that as per the FIR only two injections are stated to have been recovered.

On the contrary, it has been pointed out by the learned State counsel that on seeing the police party the petitioner had thrown the bag containing the contraband and two injections had fallen outside the bag.

It has been further stated that as per the recovery memo 15 injections of Buprenorphine has been recovered from the bag being which was thrown by the petitioner or seeing the police party. The quantity of contraband recovered from the possession of the petitioner falls in the category of commercial quantity.

As per the entry at Serial No. 169 of the notification specifying

small quantity and commercial quantity, the quantity of Buprenorphine recovered from the possession from the petitioner falls in the category of commercial quantity. As such, stringent provisions of Section 37 of the NDPS Act come into play. There is nothing to suggest that the petitioner has not committed offence and is not likely to commit the offence while on bail.

In view of the above, the present petition is dismissed.

27.10.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No