

**216**

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

CRM-M No. 32989 of 2020  
Date of Decision: 27.10.2020

Gurjit Singh

-Petitioner

Vs

State of Punjab

-Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Yashpal Thakur, Advocate,  
for the petitioner.

Mr. Ramdeep Partap Singh, D.A.G., Punjab.

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**RAJ MOHAN SINGH, J. (ORAL)**

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.51 dated 13.06.2020 under Sections 22/61 of NDPS Act registered at Police Station Ghanaur, District Patiala, Punjab.

As per prosecution case, 10 injections each containing 2 ml of LEGESIC Buprenorphine and 12 injections of AVIL were allegedly recovered from the petitioner. AVIL does not fall under the ambit of contraband. The total quantity of Buprenorphine allegedly recovered from the petitioner is 20 ml.

In order to calculate weight in grams, density of the contraband is to be multiplied by volume and that would be the weight in grams of the contraband.

Upto 20 grams, Buprenorphine is non-commercial in nature.

Weight in grams may further give different dimensions to the contraband on lower side.

Learned State counsel admits that 10 injections each containing 2 ml total 20 ml LEGESIC Buprenorphine has been recovered from the petitioner.

Petitioner is in custody since 30.06.2020.

At this stage, it would be debatable as to whether the contraband falls under the commercial quantity or not.

In view of above, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

27.10.2020  
Jyoti Sharma

**(RAJ MOHAN SINGH)**  
**JUDGE**

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|----|---------------------------|---|--------|
| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable        | : | Yes/No |