

202 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

SMRITI  
2021.01.27 14:43  
I attest to the accuracy and  
integrity of this document

CRM-M-2638-2021 (O&M)

Date of Decision: 27.01.2021

ANILKUMAR @ SONU

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. J.S.Thakur, Advocate,  
for the petitioner.

Mr. S.P.S.Tinna, Additional Advocate General, Punjab.

\*\*\*\*\*

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

In the instant case, petitioner is seeking regular bail in case bearing FIR No.30 dated 01.04.2019 under Section 22 of the Narcotics Drugs and Psychotropic Substances Act (for short the NDPS Act) registered at Police Station Bhargo Camp District Jalandhar Commissionerate.

Briefly, as per the allegation of the prosecution, on 01.04.2019, the petitioner was driving the motorcycle and co-accused, namely, Raj Kumar @ Bittu was sitting on the rear seat and 900 tablets of Alprazolam and 1536 capsules of Spasmoproxyvon Plus were recovered.

It has been contended by the learned counsel for the petitioner that the petitioner is in custody for the last more than one and a half years and the contraband has not been recovered from the actual possession of the petitioner.

On the contrary, it has been pointed out by learned State counsel that five witnesses have already been examined. The total weight of Alprazolam and Tramadol, recovered from the joint conscious possession of the petitioner and co-accused, are to the extent of 90 grams and 912 grams respectively.

The petitioner was driving the motorcycle and the contraband has been recovered from the joint conscious possession of the petitioner and the co-accused. The quantity of Tramadol, recovered from the possession of 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 the offence and is not likely to commit the offence while on bail.

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

**27.01.2021**  
smriti

**(VIVEK PURI)**  
**JUDGE**

|                           |          |
|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether Reportable        | : Yes/No |