

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

CRM-M-29718-2021 (O&M)

Date of Decision:-3.8.2021

Ajay Pal @ Ajay

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pranav Handa, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Rajinder Singh.

(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.384 dated 12.11.2017 at Police Station Sadar Nakodar, District Jalandhar Rural under Section 22 of Narcotic Drugs & Psychotropic Substances Act, 1985.
2. The allegations, in nutshell, are that the petitioner was found in possession of 110 grams of 'alprazolam'.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, the petitioner

has been behind bars for a substantial period of 3 years and 8 months and is not even involved in any other case under Narcotic Drugs & Psychotropic Substances Act and, as such, deserves to be released on regular bail.

4. Opposing the petition, learned State counsel has submitted that since it is a case of recovery of commercial quantity, no case for grant of bail is made out. Learned State counsel has also informed that the petitioner happens to be involved in one more case under Section 379 of Indian Penal Code.
5. I have considered rival submissions addressed before this Court.
6. It is not doubt a case of recovery of 110 grams of ‘*alprazolam*’, which is marginally above the quantity prescribed as commercial quantity but the petitioner has been behind bars for a substantial period of 3 years and 8 months and is not even stated to be involved in any other case under Narcotic Drugs & Psychotropic Substances Act. In these circumstances, 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.

3.8.2021

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No