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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through video-conferencing)

CRM-M No.36783 of 2020 (O&M)
Date of Decision: 14.09.2021

BHOLA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Tanvir Singh Grewal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.037 dated 06.02.2020, registered under Sections 20, 22, 29 and 31 of the NDPS Act (Section 31 of the NDPS Act added later on) at Police Station City Sunam, District Sangrur, Punjab.

As per allegations arising out of the FIR, 980 intoxicant tablets labelled as Clovidol-100 SR in 98 strips each containing 10 tablets with batch numbers and other particulars along with 2 kgs. of *Ganja* were recovered from the petitioner on 06.02.2020.

As per report of Chemical Examiner, Tramadol Hydrochloride was detected. Average weight of the tablet was

found to be 399 mg. The total weight of the psychotropic substance i.e. Tramadol would come out to be $980 \times 399 = 391.020$ grams.

According to Schedule annexed with NDPS Act, the recovery beyond 250 grams of Tramadol would be commercial in nature.

Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 19 months and the custody itself be treated as sufficient ground for releasing the petitioner on regular bail.

Learned State counsel however opposed the bail on the ground that the petitioner is involved in five other cases and out of which in three cases, he has been convicted.

Having heard learned counsel for the parties, I find that the petitioner is involved in the NDPS case of commercial quantity.

In view of aforesaid facts, no ground is made out to release the petitioner on regular bail. Petition stands dismissed.

September 14, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No