

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

Date of Decision: 6th April, 2022

(1) CRM-M-5629 of 2022
Ajaib Singh

Petitioner

Versus

State of Punjab

Respondent

(2) CRM-M-12338 of 2022
Gurjant Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. D. S. Bhinder, Advocate for the petitioners.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The petitioners are seeking regular bail in FIR No. 172 dated 20.11.2021, under Sections 22 and 25 of the NDPS Act, 1985 (for short, 'the Act'), registered at Police Station Budhlada, District Mansa.

On 20.11.2021, during patrolling, the petitioners were checked and from a transparent polythene, 820 tablets of Alprasafe were recovered. Recovery was of 103.05 grams of Alprazolam.

Learned counsel for the petitioners submits that the petitioners are in custody since 20.11.2021, investigation is complete, the petitioners are not involved in any other case under the Act. The contention is that the alleged recovery is marginally higher than the commercial quantity. It is further argued that recovered contraband was weighed along with polythene

CRM-M-5629 of 2022 and connected case [2]
envelope.

Learned counsel for the State opposes the prayer for grant of regular bail. He submits that the recovery was of commercial quantity.

Without commenting on the merits of the case considering the quantity recovered, the petitioners have no criminal antecedents and that though the challan stands presented, conclusion of trial is likely to take time, the petitioners are granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Photocopy of the order be placed on the file of connected case.

[AVNEESH JHINGAN]
JUDGE

6th April, 2022
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |