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

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Date of Decision:- 02.09.2024

Avtar Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner – Avtar Singh has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 78 dated 11.05.2024, registered under Section 22, 27-A/61/85 of NDPS Act, 1985 at Police Station Chheharta, District Police Commissionerate, Amritsar.

2. As per the facts of case, on 11.05.2024, ASI Tejvir Singh along with police party was present at Kale Mod Chheharta Bypass, Amritsar, when they spotted one person coming from the side of Ghanupur. On the basis of suspicion, said person was apprehended and after following due procedure, polythene packet was checked from which 183 intoxicant tablets were recovered, apart from cash of Rs. 3150/-. On the basis of this recovery, present FIR has been registered.

3. Learned counsel for petitioner argued that since the day of arrest, petitioner is behind the bars. Forensic Science Laboratory (FSL) report has



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not been received. Therefore, it cannot be said whether he was in alleged possession of intoxicant tablets, falling in commercial quantity. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed or he may be granted interim bail.

4. Status report is filed, which is taken on record. Learned counsel representing State of Punjab pointed out that FSL report has been received, according to which the ingredient of said contraband is Tramadol Hydrochloride, which comes out to be 83.26 grams. However, it is conceded that due to typographical error in para No. 10 of status report, weight of contraband was wrongly mentioned but the same is correctly mentioned in para No. 7 of status report. It is confirmed that said recovery falls in non-commercial quantity.

5. I have considered the arguments and have gone through the record. Present petitioner has already joined the investigation and he is behind the bars since the day of his arrest on 11.05.2024. Alleged recovery falls in non-commercial quantity. He is ready to abide by the terms of bail order. Therefore, without going on the merits of the case, regular bail petition filed by petitioner – Avtar Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. The petition is accordingly, accepted.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

02.09.2024

*lalit***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No