

2182024:PHHC:012449

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45709-2023

Date of Decision: January 30, 2024

SUKHCHAIN SINGH @ KALA SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Priyanshu Kamra, Advocate for the petitioner.
Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.140 dated 10.07.2023 registered under Section 22 of NDPS Act, at P.S. Lambi, district Sri Muktsar Sahib wherein, the petitioner has been implicated against the alleged recovery of 40 tablets of Atiz-MD containing salt Etizolam.

2. Learned counsel for the petitioner submits that total weight of tablets is 3.72 grams which is marginally higher than the commercial besides it, there is no other case under NDPS Act pending against the petitioner and thus, he being a young boy and first-time offender deserves the concession of regular bail.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the recovery involved in the present case which as per him is much more than commercial quantity. Learned State counsel also refers to the social impact of the offence involved in the present FIR.

4. I have heard learned counsel for the parties and gone through the paper-book.
5. In the present case, the alleged recovery of 40 tablets of Atiz-MD containing salt Etizolam; total weight amounting to 3.72 grams being commercial in nature and there being nothing addressed/expressed or even apparent as regards the bar of Section 37 of NDPS Act, I do not see any justification to grant the concession of regular bail to the petitioner.
6. In view of the aforesaid, the present petition stands dismissed.

30.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>