

**IN THE COURT OF DARBARI LAL,
JUDGE, SPECIAL COURT, JALANDHAR (UID No. PB0087)**

C.I.S. No.	BA- 10700/2018
C.N.R. No.	PBJL01-014060-2018
Date of Institution	21.09.2018
Date of Order	03.10.2018

Paramjit Lal @ Omi, aged about 33 years, son of Kewal Krishan, resident of Kishangarh, Police Station Kartarpur, District Jalandhar.

..... Accused/applicant.

VERSUS

State of Punjab

.... Respondent.

FIR No. 131 dated 15.07.2018
P. S. Kartarpur, Jalandhar
U/s 22 of NDPS Act.

Bail Application U/s 439 Criminal Procedure Code

Present: Shri Rajesh Sharma, Advocate for accused/applicant.
Shri Harnek Singh, Addl.P.P. for the State.

ORDER

1. Present bail application has been moved on behalf of accused/ applicant under Section 439 of Criminal Procedure Code in FIR No. 131 dated 15.07.2018 under section 22 of the Narcotic Drugs & Psychotropic Substances Act.
2. Notice of the bail application was issued to the prosecution and Shri Harnek Singh, Additional P.P. for the State has appeared on behalf of State.
3. Heard. The alleged recovery effected from the Acha No. PB-08-AX-7737 of co-accused of accused-applicant is 59 tablets of Alprassase 0.5, 5 sealed bottles of m avl 10 ML each, 7 tablets of white

colour without label, 4 injections of Buprenorphine of 2 ML each and 9 sealed bottles CC-GO 100 ML. Report of Forensic Science Laboratory, Punjab, Mohali, have already been received, as per which, the ingredient of sample (i) in this case qua recovery effected from the possession of accused/applicant is found containing Alprazolam. The average weight of each tablet found to be containing Alprazolam 121 mg and in this way, the total recovery comes to $(121 \text{ mg} \times 59 \text{ divided by } 1000)$ 7.018 grams Alprazolam. More than 100 grams of Alprazolam falls under the ambit of commercial quantity. Here, in this case, the recovered intoxicant tablets from the possession of the accused/ applicant is found containing 7.018 grams of Alprazolam which falls within the ambit of non-commercial quantity. The ingredient of sample (ii) the recovery of 5 glass weighing M-avl containing 10 ML each effected from the possession of accused/applicant is Pheniramine Maleate which does not fall under the ambit of NDPS Act. The ingredient of sample (iii) in this case qua recovery effected from the possession of accused are found containing Buprenorphine Hydrochloride. The recovered injections from the possession of the accused/ applicant are 4 weighing 2 ML each. As such, the total weight comes to $4 \times 2 = 8 \text{ ML}$ which is equivalent to 8 grams. More than 20 grams Buprenorphine fall under the ambit of commercial quantity, as such recovery of 8 grams of Buprenorphine fall under the ambit of non-commercial quantity. The ingredient of sample (iv) the recovery effected from the possession of accused are found containing Tramadol Hydrochloride. The recovered tablets from the possession of accused-applicant are 7 weighing 386 mg each. As such, the total weight

of the 7 x 386 divided by 1000= 2.7 ML. From 5 grams to 250 grams Tramadol Hydrochloride falls under the ambit of non-commercial quantity. Here, in this case, the recovered intoxicant tablets containing Tramadol Hydrochloride from the possession of the accused/ applicant falls within the ambit of small quantity. The ingredient of sample (v) the recovery effected from the possession of accused are found containing Chlorpheniramine Maleate which does not fall within the ambit of NDPS Act. Accused/ applicant is in custody since 15.07.2018. The presentation of challan and then conclusion of trial will take considerable time. No useful purpose shall be served by keeping the accused/applicant behind the bar for unlimited period. As such, he is ordered to be released on bail on furnishing her bail bonds for the sum of ₹50,000/- with one surety in the like amount with the following conditions:-

1. That the accused/applicant shall not tamper with the prosecution evidence.
 2. That the accused/applicant shall appear before the Court on each and every date of hearing.
 3. That the accused/applicant shall not leave country without prior permission of court.
7. Police record be returned and the file of this bail application be tagged with the remand papers.

Pronounced in open Court:
Dated: 03.10.2018

**Sushma*

(Darbari Lal)
 Judge, Special Court, Jalandhar
 (UID No.PB0087)

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Paramjit Lal Vs. State of Punjab

Present: Shri Rajesh Sharma, Advocate for accused/applicant.
Shri Harnek Singh, Addl.P.P. for the State.

Report of Chemical Examiner received and perused.

Arguments heard. Vide my separate detailed order, the present bail application under section 439 of Criminal Procedure Code has been allowed. Police record be returned and the file of this bail application be tagged with the remand papers.

Pronounced in open Court:

Dated: 03.10.2018

**Sushma*

(Darbari Lal)
Judge, Special Court, Jalandhar
(UID No.PB0087)