

PBBT010075462019



Presented on : 28-05-2019
 Registered on : 28-05-2019
 Decided on : 11-07-2019
 Duration : 0 years, 1 months, 14 days

IN THE COURT OF
Additional District and Sessions Judge
AT Bathinda, Bathinda
(Presided Over by Sh. Mohammad Gulzar)

BA/1430/2019

State Vs. Basant Singh

CNR No. PBBT01-007546 BA No. 1430-2019

11.07.2019: Present: Sh. Karminder S. Sodhi, advocate for the bail applicant.
 Sh. H. S. Gill Addl. PP for the State.

This order of mine will dispose of an application for regular bail moved by applicant Basant Singh in case FIR No. 47 dated 27.4.2019 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, police station, Maur, District Bathinda.

2. The FIR in the present case was registered on recovery of 900 tablets of Clovidol by the police party led by SI Avtar Singh. Police file produced.

3. The learned counsel for the applicant/accused has contended that the applicant was arrested on 27.4.2019 and sufficient custody period has elapsed since their arrest. The investigating agency is yet to launch the prosecution after presentation of the challan and applicant/accused is liable to be released on bail pending investigation.

4. On the other hand, the learned Addl. PP for the State has contended that 900 tablets of Clovidol containing Tramadol have been recovered from the accused-applicant. The commercial quantity of contraband containing Tramadol in the shape of manufactured drugs have been recovered from the applicant/accused and he has not produced any license/permit for possession thereof. As such the application is liable to be dismissed.

5. I have considered the aforesaid contentions raised by the learned counsel for the accused as well as learned Addl. PP for the State and have also gone through the police record.

6. Copy of the report of RTFSL is placed on the file, which

reflects that the substance Tramadol Hydrochloride was detected in the tablets of Clovidol. Since the substance Tramadol in Clovidol tablets, when calculated would relate to the commercial bracket, being 364 grams and in case of recovery of commercial quantity of contraband the bar contained in Section 37 of NDPS Act would be attracted and as such the applicant would not be entitled to be released on regular bail. In view of the aforesaid discussion, the application in hand stands dismissed. This file be consigned to the record room.

Pronounced.

Dated: 11.07.2019.

(Mohammad Gulzar),
Judge, Special Court,
Bathinda. PB-0063.

Pardeep Kumar SG-I