

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

CRL. MISC. No.M-12812 OF 2016
DATE OF DECISION : 13TH JULY, 2016

Harbans singh @ Banga @ Bansa

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Harchand Singh Batth, Advocate for the petitioner.

Mr. Gazi Mohd. Umair, Addl. Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking bail in FIR No.160 dated 26.06.2014 registered under Section 22 NDPS Act at Police Station Patti, District Tarn Taran.

Heard learned counsel for the rival parties.

In the above said FIR it is true as contended by learned counsel for the petitioner that the quantity in question falls in commercial quantity.

The petitioner does not have antecedents of similar type of offences. The petitioner is aged about 71 years, which is evident from identity card placed on record.

Learned State counsel submits that the trial has commenced but it will take about six months for completing the same.

Looking to the age of the petitioner and the statement of the counsel for the petitioner that he would not indulge in such type of offence and would file undertaking to this effect, the petitioner should be released on bail. In that view of the matter I make the following order:

ORDER

- (i) The petition is allowed and the petitioner be released on bail to the satisfaction of the concerned Trial Court.
- (ii) The petitioner shall file an affidavit that he will not commit such type of offence again.
- (iii) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

13TH JULY, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE