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

CRM-M-32600 of 2016

Date of decision: September 21, 2016

Dharma

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.267 dated 26.07.2016, under Section 20 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act), registered at Police Station Matlauda, District Panipat, petitioner was arrested on 26.07.2016 and is in jail since then.

Challan has been filed. Admittedly, the quantity of the contraband was non-commercial. It is true that the petitioner was facing some prosecutions, but record shows that prosecutions relate to the years 1996 and 1997. One more case under the NDPS Act relates to the year 2014 again for non-commercial quantity.

Learned counsel for the petitioner state that the petitioner would never indulge in committing similar or any other type of offence in future.

In that view of the matter, I am inclined to grant bail to the

petitioner looking to the period of detention petitioner has already undergone and the undertaking given by the learned counsel for the petitioner that the petitioner will not indulge in similar or any other type of offence in future.

Hence, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned who may impose such conditions as deem fit and proper. Petitioner shall not indulge in similar or any other type of offence in future. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

September 21, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No