

211

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

CRM-M-11369 of 2017

Date of decision: July 03, 2017

Gurpreet Singh alias Gopi

.....Petitioner

Versus

State of Punjab

.....Respondent

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

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

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

This is a petition for grant of anticipatory bail to the petitioner in FIR No.76 dated 27.05.2015, under Section 22 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act'), registered at Police Station Bhogpur, District Jalandhar.

The petitioner was arrested with recovery of 105 grams of intoxicant powder and was in jail for a period of 5 months. He was granted bail thereafter, by the trial Court vide order dated 03.11.2015. Now, he apprehends arrests in the same FIR No.76 dated 27.05.2015 in view of the FSL report received. This Court had, in the above fact situation, sought report from the Public Prosecutor as to whether any other case under the NDPS Act has been reported against the petitioner. Now, there is a report as stated by the learned State counsel, on instructions, from Head Constable Jagjit Singh that there is no case

against the petitioner under the NDPS Act, but there is a case under Section 457, 380 of the Indian Penal Code, 1860. In that view of the matter, I think the petitioner should be given last chance to be at liberty with an undertaking to be furnished by him before the trial Court that he would not indulge in any offence under the NDPS or any other Act. The statement has been made accordingly, by the learned counsel for the petitioner.

In that view of the matter, the petitioner is allowed to be continued on bail till the trial is completed in the aforesaid FIR pursuant to the order made by the trial Judge on 03.11.2015 on the same terms and conditions on which he was granted bail by the trial Court. The undertaking as stated above shall be filed by the petitioner within a period of 15 days before the trial Court.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

July 03, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No