

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

CRL. MISC. No.M-12138 OF 2017
DATE OF DECISION : 21st SEPTEMBER, 2017

Sanjeev Kumar (Gagri)

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

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

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

* * * *

A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.45 dated 04.03.2016 registered under Sections 22/61/85 of NDPS Act at Police Station City Rajpura, District Patiala.

Heard learned counsel for the rival parties.

Custody certificate filed by the State is taken on record.

Learned State counsel submits that as per the custody certificate the petitioner has one more case of same nature to his credit. The petitioner is in jail for more than one year and five months as under trial. Learned State counsel further submits that two out of twelve witnesses have been examined.

In view of the fact the two witnesses have been examined and the remaining witnessed are only official witnesses and further

looking to the period of detention suffered by the petitioner, I think one chance for reformation be given to the petitioner. However, the petitioner has to give an undertaking on affidavit that he shall not indulge in any type of offence again and furnish a copy thereof with the concerned Police Station.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-12138 OF 2017 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall give undertaking to the police as aforesaid that he will not indulge in such type of offence in future.
- (iv) In case of violation of the above condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

21st SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>