

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

CRL. MISC. No.M-13262 OF 2017
DATE OF DECISION : 16th MAY, 2017

Tarvinder Singh @ Velly

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Kushaldeep S. Sandhu, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.118 dated 15.10.2016 registered under Section 15/61/85 of NDPS Act at Police Station Dehlon, District Ludhiana.

Heard learned counsel for the rival parties.

The petitioner was arrested on 15.10.2016 and since then he is in jail. The quantity of the contraband seized from him was 79 kilograms 500 grams.

Learned State counsel submits that no other offence under NDPS Act registered against the petitioner.

Learned counsel for the petitioner makes a statement that after release from the jail the petitioner will file undertaking within two weeks that he would not indulge in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

In view of the fact that this is first offence committed by the petitioner and the petitioner is ready to give an affidavit as stated above, the petitioner is ordered to be released on bail.

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

ORDER

- (i) CRL. MISC. No.M-13262 OF 2017 is allowed
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall file an affidavit within two weeks after releasing on bail that he will not commit such type of offence again.
- (iv) 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.

16th MAY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*