

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

CRL. MISC. No.M-21466 OF 2017
DATE OF DECISION : 9th AUGUST, 2017

Manphool Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.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.11 dated 07.03.2017 registered under Sections 15, 61, 85 of NDPS Act at Police Station Sadar Malout, District Sri Muktsar Sahib.

Heard learned counsel for the rival parties.

Custody certificate filed by the State is taken on record.

The petitioner was arrested on 07.03.2017 and is in jail since then. The petitioner has undergone sentence for a period of 04 months and 28 days. As per the case of the prosecution the petitioner was found in possession three bags containing 60 Kilograms of poppy husk.

Learned State counsel submits that no other case of similar nature is reported against the petitioner.

Learned counsel for the petitioner makes a statement on instructions from the petitioner that the petitioner will file undertaking on

affidavit 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 the petitioner is ready to give an affidavit as stated above and the fact that no other case is reported against him, I am inclined to grant bail to the petitioner.

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

ORDER

- (i) CRL. MISC. No.M-21466 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 from the date of his release 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.

9th AUGUST, 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>