

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

CRL. MISC. No.M-23687 OF 2017
DATE OF DECISION : 13th DECEMBER, 2017

Shiv Charan alias Babli

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.87 dated 24.03.2017 registered under Section 22 of Narcotics Drugs & Psychotropic Substances Act at Police Station City Sangrur, District Sangrur.

Heard learned counsel for the rival parties.

Learned State counsel submits that the petitioner was caught with 20 vials of Corex each of 100 ml. He fairly states that there is no other case pending against the petitioner.

In view of the fact that there is no other case pending against the petitioner, there is no point in continuing the detention of the petitioner *ad infinitum* as under trial. However, the petitioner shall have to furnish undertaking on affidavit before the trial Court that he would not indulge in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

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

Looking to the fact that the petitioner is ready to give affidavit as stated above; there is no other case pending against the petitioner and further fact that the trial will take its own time, I am inclined to grant bail to the petitioner.

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

ORDER

- (i) The CRL. MISC. No.M-23687 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 to surrender his passport with the trial Court, if he possesses the same.
- (iv) The petitioner shall give undertaking before the trial Court along with copy to the police station concerned, within a period of two weeks from the date of his release, that he will not indulge in such type of offence in future.
- (v) In case of violation of any of the condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

13TH DECEMBER, 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>