

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

**CRM-M-25068-2017
Decided on: 12.09.2017**

Malkinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Ritu Raj Singh, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

A.B. CHAUDHARI, J (ORAL)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.92 dated 08.07.2016, under Section 22 of NDPS Act, registered at Police Station Mehtiana, District Hoshiarpur.

Learned counsel for the petitioner relied upon the charge sheet (Annexure P-2), which shows that the petitioner has been specifically charged for the recovery of 100 gms intoxicant powder from his conscious possession on 08.07.2016 at about 6.50 p.m., which is non-commercial.

The petitioner was arrested on 03.04.2017 and is in jail since then. One witness is stated to have been examined, the petitioner was remained on interim bail from 09.09.2016 to 03.04.2017 and there is no adverse FSL report against him.

Learned State counsel fairly states that there is no case under NDPS Act against the petitioner and this is the only case against him.

In that view of the matter, I think the petitioner should be given a chance of reformation.

Accordingly, this petition is allowed. Petitioner is ordered to be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file an undertaking within 3 weeks with the trial Court that he will not indulge in any kind of offence in future. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

12.09.2017
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No