

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

**CRL. MISC. No.M-2580 OF 2017 (O&M)
DATE OF DECISION : 17th APRIL, 2017**

Satvinder Singh alias Lucky

.... Petitioner

Versus

State of Haryana

.... Respondent

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

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Present : Ms. Garima Sharma, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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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.231 dated 11.07.2016 registered under Section 21/29/61/85 of NDPS Act at Police Station Ambala Cantt, District Ambala Cantt.

Heard learned counsel for the rival parties.

The petitioner was arrested on 11.07.2016 and is in jail since then.

The petitioner was caught with 10 grams of heroin. Admittedly the same is non-commercial in nature.

Learned State counsel opposed the petition for regular bail. She submits that the petitioner is a habitual offender and to his credit variety of cases are registered. She further submits that there is more case is pending him under the NDPS Act.

Looking to the submission made by learned State counsel that the petitioner is facing prosecution under IPC as well as one case under NDPS Act against him, looking further to the present matter the

quantity is 10 grams of heroin and 7 witnesses have been examined in the trial Court, though number of cases are registered against the petitioner under IPC, I think the petitioner should be given the benefit of regular bail, subject to the petitioner filing the undertaking within two weeks from today, not to indulge in similar nature of the offence.

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

ORDER

- (i) The petition is allowed and the petitioner be released on regular bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (ii) The petitioner shall file an affidavit within two weeks after release that he will not commit such type of offence again.
- (iii) 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.

17TH APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.