

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

CRL. MISC. No.M-26200 OF 2017
DATE OF DECISION : 8th AUGUST, 2017

Subhash

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Gurbachan Singh Bhatia, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J.

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.240 dated 06.05.2017 registered under Section 20 of NDPS Act at Police Station Gannaur, District Sonapat.

Heard learned counsel for the rival parties.

Pursuant to order dated 27.07.2017 passed by this Court the State has filed status report, which is taken on record.

The petitioner was arrested on 06.05.2017 and is in jail since then. As per the case of the prosecution the petitioner was found in possession of 4 kilograms and 100 grams of ganja leaves (cannabis plant). The trial in this case will take its own time. There is no similar case under the NDPS Act reported against the petitioner. However in the reply of the State it has been stated that the cases under Gambling Act have been registered against him.

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 the trial will take its own time for disposal, 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-26200 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 any 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.

8th AUGUST, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable:
 Yes *No*