

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

CRL. MISC. No.M-28795 OF 2017
DATE OF DECISION : 18th SEPTEMBER, 2017

Jarnail Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Rakesh Kumar, 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.80 dated 07.09.2016 registered under Sections 22/61/85 of NDPS Act at Police Station Fattu DHINGA, District Kapurthala.

Heard learned counsel for the rival parties.

Learned State counsel submits that the petitioner has faced the trial in respect of similar crime in two different FIRs and has been acquitted in those cases. This is the third case against the petitioner and the petitioner was caught with 150 grams of Diphenoxylate Hydrochloride an intoxicant powder. The petitioner was arrested on 07.09.2016 and was released on interim bail for want of FSL report. After receiving the FSL report he surrendered and is in jail from 03.05.2017.

Learned counsel for the petitioner, on the asking of the Court, makes a statement 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, he should be given a chance for reformation. Hence, 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-28795 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 shall report to the police station concerned on every Monday, Wednesday, Friday and Sunday from 11.00am to 4.00pm in addition to appearing before the trial Court on the dates fixed there.
- (iv) The petitioner shall give undertaking to the police as aforesaid that he will not indulge in such type of offence in future.
- (v) In case of violation of the above condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

18th SEPTEMBER, 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>