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

CRM-M-29363 of 2017

Date of decision: November 02, 2017

Kala Singh alias Kali

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. AG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.53 dated 29.05.2017, under Sections 15/61/85 of Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Fatehgarh Panjtoor, District Moga. Petitioner was arrested on 29.05.2017 and is in jail since then.

Learned counsel for the petitioner submits that the petitioner was allegedly caught with 55 kg of poppy-husk.

Learned State counsel opposed the petition for regular bail on the ground that there is one more case of 25 kg of poppy-husk to the credit of the petitioner.

In my opinion, looking to the date of arrest of the petitioner and the fact that it was the poppy-husk that was seized and further fact that the other case is of non-commercial quantity of poppy-

husk, I am inclined to grant bail to the petitioner on conditions.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file undertaking before the concerned Magistrate as well as a copy to the police station concerned that he will not commit/indulge in similar or any other kind of offence in future. Petitioner shall report to the police station concerned on Monday, Wednesday and Sunday between 11:00 AM to 4:00 PM every week and the concerned police shall keep surveillance on the petitioner. Petitioner shall deposit his passport, if possesses, with the trial Court. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well. In case of breach of any of the condition, this bail order shall stand cancelled.

(A.B. CHAUDHARI)
JUDGE

November 02, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No