

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

CRM-M-30044-2017(O&M)

Date of decision : 19.09.2017

Prithvi Singh

..... Petitioner

versus

State of Haryana

..... Respondent

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

Present: Mr.D.N.Ganeriwala, Advocate for the petitioner.

Ms.Tanisha Peshawaria, DAG, Haryana.

A.B.CHAUDHARI, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in case FIR No. 120 dated 24.08.2015, under Sections 17,18,29 of NDPS Act, registered at Police Station Odhan, District Sirsa.

Heard learned counsel for the rival parties.

The allegations case against the petitioner are that 9 Kilograms of opium was allegedly recovered from his possession.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 24.08.2015 i.e. for more than 2 years and all of his co-accused have been granted bail and no other case is pending against him.

Learned State counsel submits that the petitioner has joined the investigation and is not required for custodial interrogation.

Learned counsel for the petitioner makes a statement that after

release from the jail the petitioner will file undertaking within two weeks from the date of his release 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 is not required in any other similar case, I am inclined to grant bail to the petitioner.

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

ORDER

- (i) CRM-M-30044-2017 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 releasing that he will not commit any other offence again.

**(A.B.CHAUDHARI)
JUDGE**

September 19, 2017
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No