

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

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**CRL. MISC. No.M-34360 of 2017.
Date of Decision: 20.09.2017.**

Dalip Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

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

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Deputy Advocate General, Punjab.

A.B. CHAUDHARI, J.(Oral)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.76 dated 11.04.2017 registered under Sections 15,25,61,85 of NDPS Act at Police Station Sadar, Jagraon, District Ludhiana.

Heard learned counsel for the rival parties.

Perusing the file, it appears from the F.I.R. that the petitioner and one more person were carrying poppy husk weighing 30kg each.

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.

Learned State counsel submits that no other case of similar nature is reported against the petitioner.

In view of the fact that the petitioner is ready to give an affidavit as stated above and the fact that no other case is reported against him, 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-34360 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 such type of 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.

(A.B. CHAUDHARI)
JUDGE

20.09.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No