

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

CRL. MISC. No.M-35311 OF 2017
DATE OF DECISION : 27th SEPTEMBER, 2017

Mohammad Amzad

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G. 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.97 dated 25.04.2016 registered under Sections 22, 61, 85 of NDPS Act at Police Station City, District Patiala.

Heard learned counsel for the rival parties.

Learned State counsel, on instructions from HC Gurpreet Singh, submits that the trial has almost completed but for one witness, whose evidence will be recorded on 03.10.2017. He further submits that there is no other case is pending against the petitioner since the petitioner has already undergone the sentence in the case related to 7 kg of poppy husk.

The petitioner was arrested on 06.05.2017 and is in jail since then. In the present case the petitioner was found in possession of 15 bottles of corex syrup.

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-35311 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 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 within two weeks from the date of his release.
- (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.

27th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No