

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

CRL. MISC. No.M-36814 OF 2017
DATE OF DECISION : 13th NOVEMBER, 2017

Gurmeet Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Sant Pal Singh Sidhu, 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 this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.128, dated 17.08.2017 registered under Sections 22/61/85 of Narcotics Drugs & Psychotropic Substances Act and Section 25/54/59 of Arms Act, registered at Police Station Sadar Fazilka, District Fazilka.

Heard learned counsel for the rival parties.

Learned State counsel submits that the petitioner was tried in a case under Narcotics Drugs & Psychotropic Substances Act but was acquitted and there is no other case against him except the present one.

In the present case the quantity of contraband is stated to be non-commercial but there is serious offence of recovery of on pistol of .315 bore and 4 live cartridges without any licence.

Learned counsel for the petitioner makes a statement on instructions from the petitioner that the petitioner will file undertaking on affidavit before the trial Court 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 affidavit as stated above and that the challan has been filed and the investigation is completed and the trial will take its own time, 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-36814 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 to surrender his passport with the trial Court, if he possesses the same.
- (iv) 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.
- (v) The petitioner shall give undertaking before the trial Court along with copy to the police station concerned, within a period of two weeks from the date of his release, that he will not indulge in such type of offence in future.

(vi) In case of violation of any of the above conditions on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

13th NOVEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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