

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

CRL. MISC. No.M-40474 OF 2017
DATE OF DECISION : 2nd NOVEMBER, 2017

Jagdish

.... Petitioner

Versus

State of Haryana & another

.... Respondents

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

* * * *

Present : Ms. Amandeep Kaur, Advocate for
 Mr. Ramesh Sharma, Advocate for the petitioner.

Mr. Vijesh Sharma, DAG, Haryana.

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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.213, dated 08.07.2017 registered under Sections 20 & 25 of Narcotics Drugs & Psychotropic Substances Act, 1985, registered at Police Station Taraori, District Karnal.

Heard learned counsel for the rival parties.

Learned State counsel submits that the petitioner was caught with 35 kg of poppy husk. He fairly states that there is no other case pending against the petitioner.

In that view of the matter, that there is no other case is pending against the petitioner, there is no point in continuing the detention of the petitioner *ad infinitum*. However, the petitioner shall have to furnish 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.

Learned counsel for the petitioner makes a statement that the petitioner will file undertaking as aforesaid.

In view of the fact that the petitioner is ready to give affidavit as stated above; there is no other case is pending against the petitioner and further fact that 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-40474 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 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 condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

2nd NOVEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>