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

CRM-M-47306 of 2017

Date of decision: December 19, 2017

Harjinder Singh @ Kala @ Ghora

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.0046 dated 23.04.2017, under Sections 15, 25, 29 of NDPS Act, registered at Police Station Sadar Nawanshahr, District SBS Nagar.

Learned counsel for the petitioner submits that the petitioner has been arrested on 23.04.2017 and is in custody since then.

According to the prosecution, the petitioner was apprehended having 60 Kilograms of poppy husk in his possession contained in two bags. Learned counsel for the petitioner submits that the said recovery of contraband from two persons falls within the category of non commercial quantity.

Upon instructions from ASI Palwinder Singh, learned counsel for the State submits that there is no other case pending against the petitioner.

In that view of the matter, the petitioner be released on bail, subject to the following conditions:-

- (i) The **CRM-M-47306 of 2017** is allowed.
- (ii) The petitioner 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 would file an undertaking to the trial Court that they will not commit the same or any other kind of offence in future.
- (v) Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.
- (vi) In case, the petitioner violates the above said conditions, this order of bail comes to an end automatically without reference to this Court.

(A.B. CHAUDHARI)
JUDGE

December 19, 2017
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No