

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

CRL. MISC. No.M-47983 OF 2017
DATE OF DECISION : 20th DECEMBER, 2017

Vishal Walia

.... Petitioner

Versus

State of U.T. Chandigarh

.... Respondent

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

* * * *

Present : Mr. Anurag Singh Tagra, Advocate for the petitioner.

Mr. G. S. Chahal, APP for U.T. Chandigarh.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the aforesaid petition under Section 439 Cr.P.C. seeking regular bail in FIR No.214 dated 26.07.2017 registered under Sections 22 of Narcotics Drugs & Psychotropic Substances Act Police Station Sector-17, Chandigarh.

Heard learned counsel for the rival parties.

The petitioner was arrested on 26.07.2017 and is in jail since then. Indeed the offence committed by the petitioner is serious. However, there is no other case against the petitioner as stated by the learned State counsel. Therefore, the petitioner should be given a chance for reformation, particularly because the learned counsel for the petitioner on his instructions makes a statement that the petitioner would file undertaking not to indulge in such type of offence. The petitioner shall furnish a copy of the same with the Police Station concerned and the trial Court as well.

In my opinion, since the petitioner is ready to furnish the affidavit as aforesaid not to indulge in such type of offence, I am inclined to grant bail to the petitioner to give a chance for reformation.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-47983 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. The police shall keep surveillance on the petitioner.
- (iv) The petitioner shall file the affidavit as aforesaid that he will not indulge in such type of offence in future, within two weeks from the date of his release and shall supply the copy thereof to the Police Station.
- (v) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (vi) 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.

20TH DECEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*