

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

CRL. MISC. No.M-4818 OF 2017
DATE OF DECISION : 20th FEBRUARY, 2017

Jaspreet Singh @ Rana

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Amaninder Preet, Advocate for the petitioner.

Mr. Abhishek Chautala, Assistant Advocate General,
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.108 dated 05.09.2014 registered under Section 21/61/85 of NDPS Act at Police Station Phagwara City, District Kapurthala.

Heard learned counsel for the rival parties.

The petitioner has been in jail since one year eight months. The quantity of the contraband seized from him was 70 grams which is commercial quantity.

Learned State counsel submits that no other offence under NDPS Act registered against the petitioner.

Learned counsel for the petitioner makes a statement that after release from the jail the petitioner will file undertaking within two weeks 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 that this is first offence committed by the petitioner and the petitioner is ready to give an affidavit as stated above, the petitioner is ordered to be released on bail.

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

ORDER

- (i) The petition is allowed and the petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (ii) The petitioner shall file an affidavit within two weeks after releasing on bail that he will not commit such type of offence again.
- (iii) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

20th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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