

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

CRL. MISC. No.M-8843 OF 2017
DATE OF DECISION : 18th AUGUST, 2017

Mai Ditta Lal @ Mai Ditta Ram

.... Petitioner

Versus

State of Punjab

.... Respondent

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

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Present : Mr. N. S. Chehal, Advocate for
 Mr. Jasmail Singh Brar, Advocate for the petitioner.
 Ms. Samina Dhir, D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.41 dated 04.06.2016 registered under Section 22/61/85 of NDPS Act, at Police Station Kot Bhai, District Sri Muktsar Sahib.

Heard learned counsel for the rival parties.

The petitioner was arrested on 04.06.2016 and is in jail since then. As per the case of the prosecution the petitioner was found in possession of 1750 tablets of Alprazolam IP XL Pam 0.5.

Learned State counsel submits that no other case of similar nature is reported against the petitioner.

Learned counsel for the petitioner makes a statement on instructions from the petitioner that the petitioner will file undertaking on affidavit 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 an affidavit as stated above and the further fact that no other case is reported against him, I am inclined to grant bail to the petitioner.

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

ORDER

- (i) CRL. MISC. No.M-8843 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall file an affidavit within two weeks from the date of his release that he will not commit such type of offence again.
- (iv) 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.

18th AUGUST, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*