

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

CRL. MISC. No.M-9904 OF 2017
DATE OF DECISION : 8th AUGUST, 2017

Sarwan Kumar @ Sodhi

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J.

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.36 dated 24.05.2015 registered under Section 22 of NDPS Act at Police Station Lambra, District Jalandhar.

Heard learned counsel for the rival parties.

The petitioner was re-arrested on 21.11.2016 and is in jail since then. As per the case of the prosecution the petitioner was found in possession of 60 grams of intoxicant powder.

Learned State counsel submits that the petitioner has to his credit one more case of NDPS Act. He further submits that the four witnesses have been examined.

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 fact that four witnesses have already been examined, 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-9904 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.

8th AUGUST, 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>