

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

CRL. MISC. No.M-5067 OF 2018
DATE OF DECISION : 9th MARCH, 2018

Mukesh @ Sonu

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Ms. Kanishka Goyal, Advocate for
Mr. Vikas Bishnoi, Advocate the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this fourth petition under Section 439 Cr.P.C. seeking regular bail in FIR No.644, dated 13.10.2015 registered under Sections 21B and 27A of Narcotics Drugs & Psychotropic Substances Act and Sections 18(A) & 18(C) Drugs and Cosmetic Act, registered at Police Station City Fatehabad, District Fatehabad.

Heard learned counsel for the rival parties.

Learned State counsel submits that the petitioner was caught with 45 bottles of RexCof 100/100 batch No.AO 4302 and 600 tablets Carisoma batch No.CAR4020. He fairly states that there is no other case pending against the petitioner.

In view of the fact that there is no other case pending against the petitioner, there is no point in continuing the detention of the petitioner *ad infinitum*. However, the petitioner shall have to furnish undertaking on affidavit before the trial Court that he would not indulge

in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

Learned counsel for the petitioner makes a statement that the petitioner will file undertaking as aforesaid.

Looking to the fact that the petitioner is ready to give affidavit as stated above; there is no other case is pending against the petitioner and further fact that the trial will take its own time, I am inclined to grant bail to the petitioner.

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

ORDER

- (i) The CRL. MISC. No.M-5067 OF 2018 is allowed.
- (ii) The petitioner is ordered to 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 shall give undertaking before the trial Court along with copy to the police station concerned, within a period of two weeks from the date of his release, that he will not indulge in such type of offence in future.
- (v) In case of violation of any of the condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

9TH MARCH, 2018
'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>