

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

224

**C.R.M-M No.10570 of 2019
Date of Decision : 14.03.2019**

Shiva Bhatti

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Amandeep Singh, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.211 dated 22.07.2015 registered under Sections 22, 61, 85 of the N.D.P.S. Act at Police Station Salem Tabri, District Ludhiana.

Counsel for the petitioner has argued that this was a case of recovery of non-commercial quantity of intoxicated powder. He has further argued that the petitioner was released on bail but he could not appear on one date. Thereafter, he was arrested and has now undergone more than 3 months.

Custody certificate filed in Court dated 14.03.2019 by way of affidavit of Narpinder Singh, PPS, Deputy Superintendent, Central Prison, Ludhiana is taken on record, wherein it has been certified that the petitioner

has undergone 3 months and 16 days.

In my opinion, one omission can be condoned. In the circumstances, the petitioner is directed to be released on bail to the satisfaction of the trial Court with the explicit understanding that in case he again violates the conditions of bail and arrested, he would not be entitled to seek bail.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

March 14, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No