

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

2026:PHHC:096728



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CRM-M-38158 of 2026 (O&M)

Date of Order:16.07.2026

Sagar Sachdeva

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Ms. Aastha Goyal, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

SHALINI SINGH NAGPAL, J. (oral)

Petitioner seeks anticipatory bail in case arising out of FIR No.210 dated 06.11.2018, under Sections 21/61/85 of NDPS Act, 1985, Police Station City Malout, District Sri Muktsar Sahib. This is the first petition for anticipatory bail.

2. Learned counsel for the petitioner submits that petitioner was facing trial in the above mentioned FIR. He was granted regular bail by learned Additional Sessions Judge, Sri Muktsar Sahib, on 30.11.2018. Petitioner had been regularly appearing before the Trial Court, complying with all conditions imposed upon him. However, on 05.03.2026 due to unavoidable medical condition, he could not appear before the Court as he was being treated at Reborn Drug Counselling and Rehabilitation Centre, Hanumangarh. Vide order dated 05.03.2026, his bail was cancelled, bonds forfeited and non-bailable warrants were issued. Learned counsel further

submits that it was the first time petitioner jumped bail, so he be allowed the concession of anticipatory bail.

3. Learned State counsel opposes the prayer on the ground that petitioner was a bail jumper and was not entitled to concession of anticipatory bail.

4. Hon’ble Supreme Court in *Manish Jain Versus Haryana State Pollution Control Board, 2020(2) SCC 123*, observed as under:

‘2. A person released on bail is already in the constructive custody of law. If the law requires him to come back to custody for specified reasons, we are afraid that an application for anticipatory bail apprehending arrest will not lie. There cannot be an apprehension of arrest by a person already in the constructive custody of the law. We, therefore, reject the prayer for anticipatory bail.’

5. Petitioner having misused the concession of regular bail, is not entitled to discretionary relief of anticipatory bail. The appropriate course for him is to surrender before the Trial Court and seek regular bail.

6. Dismissed.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

16.07.2026

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Whether speaking/reasoned : Yes
Whether reportable : No