

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

CRM-M No. 31791 of 2016 (O&M)

Date of decision: 21.09.2016

Sarabpreet Singh @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Gurvir Kaur Gill, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.45, dated 27.03.2016, registered under Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') read with Section 14 of the Foreigners Amendment Act, 2004 (for short 'the Act'), at Police Station Sadar Fazilka.

It is contended that the petitioner has already been granted regular bail under Section 21 of NDPS Act by this Court, vide order dated 19.08.2016 and later on, Section 29 of NDPS Act and Section 14 of the Act were added to enhance the gravity of the offence. The petitioner is in custody since 27.03.2016.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Perusal of the record reveals that Section 29 of NDPS Act and Section 14 of the Act were not added subsequently. The petitioner had obtained the benefit of bail without mentioning the above said Sections. It is settled position of law that grant of bail is a discretionary relief and one who approaches the Court for grant of bail with soiled hands, cannot be granted such relief.

Therefore, keeping in view the above, no case for bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

21.09.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
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Whether Reportable :	Yes	No
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