

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

CRM-M-2575-2018
Date of decision:-1.2.2018

Pankaj Jain

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr. Vaneet Kumar Sharma, Advocate
for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

H.S. MADAAN, J.

The instant petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by petitioner – Pankaj Jain, an accused in FIR No.151 dated 24.12.2017, under Section 22 of NDPS Act, registered with Police Station Sadar, Nawanshahar, District SBS Nagar.

It may be mentioned here that the petitioner had filed a similar petition in the Court of Sessions, wherein interim bail was granted to him with the direction to join the investigation, however, since the petitioner had not joined the investigation, thereby not complying with the directions of the Court, the petition was dismissed.

Pre-arrest bail is a discretionary relief, which can be granted to the accused keeping in view the facts and circumstances. Once the petitioner is found to have not complied with the directions issued by the Court of Sessions to join the investigation, his such conduct clearly disentitles him to approach this Court craving for grant of similar relief.

Furthermore, the facts and circumstances of the case are such that grant of pre-arrest bail is not called for since petitioner was found to be in possession of heavy quantity of the contraband when apprehended and searched by the police.

Thus, finding no merit in the petition, the same stands dismissed.

1.2.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No