

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

CRM-M-16469-2019 (O&M)

Date of decision : 10.04.2019

Maya Devi and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.S. Grewal, Advocate for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

This petition has been filed by the petitioners for grant of pre-arrest bail in FIR No.22 dated 07.03.2019 registered under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substance Act at Police Station Khuhian Sarwar, Tehsil Abohar, District Fazilka.

From the reading of the petition, it is clear that petitioners have not disclosed as to what was the alleged narcotic drug or its quantity recovered. Only thing which has been asserted is that the recovery of narcotic does not fall within commercial quantity. Apart therefrom, it has also been asserted that petitioners have been falsely implicated.

While filing petition for grant of anticipatory bail, the petitioners are required to disclose correct and complete facts before the Court. The relief of anticipatory bail can only be granted after examining

the facts of the case. Grant of pre-arrest bail is not as a matter of right but rather depends upon the discretion of the Court which is to be exercised in a judicious manner. Since, in the petition, the petitioners have failed to disclose the type of narcotic which was recovered or quantity thereof, therefore, the present petition is dismissed on this ground itself.

10.04.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No