

**107**  
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT**  
**CHANDIGARH**

**CRM-M-25360-2022**  
**Date of Decision: 02.06.2022**

Simrandeep Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. B.D. Sharma, Advocate for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in complaint No. 9 dated 19.03.2020, registered under Section 3 of Railway Property (Unlawful Possession), Act, 1966 at Police Station R.P.F/Post Amritsar.

The learned counsel for the petitioner has submitted that in the present case the petitioner was granted bail and he was regularly appearing but thereafter he could not appear and non-bailable warrants were issued against him, although he is still on bail. He further submitted that the petitioner is ready and willing to surrender and join investigation.

I have heard the learned counsel for the petitioner.

The petitioner was granted bail. He jumped the bail.

Thereafter, instead of surrendering before the Court, he has filed a petition

for the grant of anticipatory bail. The Hon'ble Supreme Court in '*Manish Jain Versus Haryana State Pollution Control Board*,' [ *Special Leave to Appeal (Criminal) No.5385 of 2020*], held that a person who is on bail is deemed to be in constructive custody of law and, therefore, the present petition for grant of anticipatory bail is not maintainable.

In view of the above, the present petition is dismissed.

**02.06.2022**

rakesh

**(JASGURPREET SINGH PURI)**  
**JUDGE**

|                    |   |        |
|--------------------|---|--------|
| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |