

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

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**CRM-M No.30370 of 2022
Date of Decision: 18.07.2022**

Ranjeet Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Harmandeep Singh, Advocate
for the petitioner.

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MEENAKSHI I. MEHTA, J. (Oral)

The petitioner herein has sought the relief of pre-arrest bail in the criminal case arising out of the FIR bearing No.361 dated 18.12.2014 registered at Police Station Sadar Ferozepur, District Ferozepur, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, while averring that vide the order dated 09.03.2015, learned Special Judge, Ferozepur, had granted the relief of interim bail to him but now, the trial Court has issued the bailable warrants against him.

2. Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, has appeared in this case in pursuance of the copy of the present petition having been sent to the respondent-State in advance.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also perused the file carefully.

4. As per the allegations as levelled in the subject FIR, the petitioner was found in possession of total 1020 *Alprazolam* tablets. It has

specifically been mentioned in para No.4 of order Annexure P-2 that vide the order dated 09.03.2015, learned Special Judge had granted the relief of interim bail to the petitioner till the presentation of the report of the Chemical Examiner and in para No.5 therein, it has further been mentioned that the above-said report has been received and the Challan has already been presented in this case and despite the issuance of notice to the petitioner, he did not appear in the Court.

5. It has categorically been observed by the Apex Court in **Manish Jain vs. Haryana State Pollution Control Board, Special Leave to Appeal (Crl.) No.5385 of 2020 (arising out of the impugned judgment and order dated 09.10.2020 in CRMM No.31881 of 2020 passed by the High Court of Punjab & Haryana at Chandigarh) decided on 20.11.2020** that “a person released on bail is already in the constructive custody of law and if law requires him to come back to the custody for specific reasons, the application for anticipatory bail apprehending arrest, would not lie”. These observations are fully applicable to the present case and in the light of the same, it is held that the present petition, as moved by the petitioner for seeking the relief of pre-arrest bail, is not maintainable. Resultantly, the same stands dismissed accordingly.

18.07.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*