

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

**CRM-M No.33269 of 2022
Date of Decision: 01.08.2022**

Satpal Singh

.....Petitioner.

Versus

State of Punjab

.....Respondent.

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

Present:- Mr. P.K.S. Phoolka, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner has preferred this petition under Section 438 read with Section 482 Cr.PC, for seeking the relief of anticipatory bail in the criminal case arising out of the FIR bearing No.0169 dated 06.09.2019 registered at Police Station Kotwali Bathinda, District Bathinda, under Section 21 of the NDPS Act, while averring that initially, he had been granted the relief of regular bail in this case and had also been regularly appearing before the concerned Court to face the trial but on 13.07.2022, he could not appear in the trial Court because he had noted the wrong date of hearing in the case and due to this reason, the trial Court has cancelled his bail and has also ordered for the forfeiture of his bail bonds to the State vide the order Annexure P-2 as passed on that day.

I have heard learned counsel for the petitioner, at the preliminary stage, in the present petition and have also perused the file carefully.

Though the petitioner has invoked the provisions contained in Section 482 Cr.PC, for seeking the relief in this petition but it is worth-while to mention here that these provisions confer an extraordinary jurisdiction/power upon this Court so as to give effect to any order under the Code or to prevent the abuse of the process of any Court or otherwise, to secure the ends of justice and the case of the petitioner does not fall under any of the afore-said eventualities.

So far as the prayer of the petitioner to grant him the relief of pre-arrest bail is concerned, it has categorically been observed by the Apex Court in **Manish Jain Versus Haryana State Pollution Control Board 2020(20) SCC 123** that “*the person released on bail is already in the constructive custody of law and if the law requires him to come back to custody for the specified reasons, the application for anticipatory bail apprehending arrest would not lie.*”

Resultantly, the petition in hand stands dismissed.

August 01, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*