

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

CRM-M-52189 of 2022

Date of decision : November 22, 2022

Sunny alias Mota alias Manpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :-Mr. Mukesh Kumar Bhatnagar, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG., Punjab.

PANKAJ JAIN, J. (ORAL)

Apprehending his arrest in FIR No.0203 dated 22.8.2022, registered for offences punishable under Section 21-B, 61, 85 of NDPS Act registered at Police Station Chheharta, District Amritsar the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

As per the prosecution version the co-accused of the petitioner was found in possession of 50 grams of heroin and on his disclosure statement the present petitioner was nominated. It is discernible from the record of the case that the petitioner was granted interim protection and was asked to join investigation vide order dated 26.9.2022 on or before 1.10.2022, the petitioner did not join. Another chance was afforded to the petitioner to join investigation on or before 6.10.2022

and thereafter upto 12.10.2022. However, during all this period the petitioner
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evaded investigation and opted not to join the same.

Keeping in view the incorrigible conduct of the petitioner, this Court does not find it to be a fit case to grant indulgence as no fault can be found with the order dated 12.10.2022 (Annexure P-2) passed by the court below.

Resultantly, the present petition is dismissed.

However, keeping in view the fact that the petitioner has been nominated on the disclosure statement made by the co-accused, liberty is granted to the petitioner to surrender before the concerned court on or before 30.11.2022. In case, the petitioner surrenders and opts to file an application seeking the admission on bail, the same shall be decided within a period of seven days thereafter in accordance with law.

(PANKAJ JAIN)
JUDGE

November 22, 2022

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Whether speaking/reasoned Yes

Whether Reportable : No