

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

CRM-M-59340-2022

Date of decision : 19.12.2022

Avtar Singh @ Tili

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Manan Bhardwaj, Advocate
for the petitioner.

Mr. Arun Gupta, Asstt. Advocate General, Punjab
for the respondent/State.

PANKAJ JAIN, J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for grant of pre-arrest bail in FIR No.152, dated 02.11.2017 registered for the offence punishable under Section 22 of the NDPS Act, at Police Station Majitha, District Amritsar.

Petitioner stands booked for offence punishable under Section 22 of the NDPS Act in the aforesaid FIR and was admitted to interim bail as report of forensic lab was not received. Thereafter, the petitioner absented himself without any intimation leading to cancellation of the bail and forfeiture of surety bonds. Presence of petitioner was ordered to be secured through non-bailable warrants vide order dated 22nd of April, 2022. The present application under Section 438 Cr.P.C. has been filed seeking pre-arrest bail which as per the settled proposition of law would not be

maintainable.

Consequently, the present petition is dismissed.

However, liberty is granted to the petitioner to surrender before the Trial Court on or before 23rd of December, 2022 and seek regular bail. In case, the petitioner opts to surrender before the Trial Court and such request is made, the same shall be decided by the Trial Court within three days thereafter in accordance with law.

December 19, 2022

Dpr

(PANKAJ JAIN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No