

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17964-2024 (O&M)
DECIDED ON: 15.04.2024

ASHISH KUMAR ALIAS ASHU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Himani Anand, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 read with Section 482 Cr.P.C. for grant of interim bail in FIR No.671, dated 29.07.2022, under Section 22 of NDPS Act, 1985 (Sections 27-A and 29 of NDPS Act added later on), registered at Police Station Karnal City, District Karnal for a period of four weeks.
2. Learned counsel for the petitioner contends that the mother of the petitioner has to undergo an eye surgery and he has to arrange for the finances as he is the only male member in the family and his wife being the housewife would not be able to arrange for the same.
3. Considering the submissions made hereinabove, this Court is not inclined to grant the interim bail as earlier also the petitioner has moved the regular bail bearing CRM-M-46412-2023, which stands withdrawn vide order dated 28.02.2024. Now, this petition is nothing but an abuse of process of law and is mischievous one as its only been two months that the regular bail petition filed by the petitioner stands withdrawn before this Court.

4. The Apex Court in the case of S.P. Chengalvaraya Naidu vs. Jagnanath; AIR 1994 SC 853, has elucidated that the Courts of law are meant for imparting justice between the parties. One, who comes to the Court, must come with the clean hands.
5. The Indian judicial system is grossly afflicted, with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession, towards senseless and ill-considered claims.
6. In view of above, it is abundantly clear that the petitioner has not approached this Court with clean hands and has filed a mischievous petition as the surgery for which the petitioner is seeking interim bail is a very common problem which occurs as a result of aging and the wife of the petitioner is there to look after the mother of the petitioner.
7. In view of the above, the present petition is dismissed.

15.04.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No