

202+252

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

**Date of decision: February 13, 2015
CRM-M-2914 of 2015**

Satish Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M No.2367 of 2015

Sukhchain Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Lakhwinder Singh Sidhu, Advocate
for the petitioner (in CRM-M-2914 of 2015).

Mr. Inderjit Singh, Advocate
for the petitioner (in CRM-M-2367 of 2015).

Mr. Deep Singh, AAG Punjab.

SABINA, J

Vide this order, above mentioned two petitions would be disposed of, as petitioners have sought bail under Section 167(2) of Code of Criminal Procedure, 1973 ('Cr. P.C.' for short).

Prosecution story in brief is that petitioner-Satish Kumar was found in possession of 1,04,000 intoxicant tablets and 7270 intoxicant injections, whereas petitioner-Sukhchain Singh was found in possession of 47,000 intoxicant tablets and 10,000 intoxicant capsules. Petitioner-Satish Kumar was arrested on 27.05.2014, whereas petitioner-Sukhchain Singh was arrested on 26.05.2014. Prescribed time period for

presentation of challan expired on 22.11.2014 in the case of petitioner-Satish Kumar and in the case of petitioner-Sukhchain Singh it expired on 21.11.2014. However, prosecution moved an application on 20.11.2014 seeking extension of time to present the challan. Petitioner-Satish Kumar moved an application seeking bail under Section 167(2) Cr. P.C. on 24.11.2014, whereas petitioner-Sukhchain Singh moved an application seeking bail under Section 167(2) Cr. P.C. on 23.11.2014. Trial Court allowed the application moved by the prosecution vide order dated 03.12.2014 and granted prosecution two months time to submit report under Section 173 Cr. P.C. Since the prosecution had already moved an application for extension of time to present the challan before the expiry of the period of 180 days, the application moved by the petitioners seeking bail under Section 167(2) Cr. P.C. was liable to be dismissed, as the application moved by the prosecution for extension of time to present the challan, was allowed.

Learned State counsel, on instructions from Assistant Sub Inspector Brinder Singh has submitted that challan is ready and will be presented in the Court within two days.

Hence, no ground for grant of bail to the petitioners under Section 167 (2) Cr. P.C., is made out.

Dismissed.

February 13, 2015
m.singh

**(SABINA)
JUDGE**