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

CRM-M-5493 of 2015

Date of Decision: February 25, 2015.

Jasvir Singh alias Biru and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Akshay Jain, Advocate
for the petitioners.

Mr. V.P.S. Sidhu, AAG Punjab.

SABINA, J.

Petitioner has filed this petition under Section 167 (2) of Code of Criminal Procedure, 1973 ('Cr. P.C.' for short) read with Section 36-A of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short) seeking bail in FIR No.48 dated 07.07.2014, under Sections 22, 25 of the Act, registered at Police Station Joga District Mansa.

Heard.

As per the prosecution case, petitioner and his co-accused were found in possession of 420 grams of intoxicant powder. Petitioner had filed application under Sections 167(2) Cr. P.C. seeking bail on 12.01.2015. Petitioner was arrested on 07.07.2014. On 29.12.2014, prosecution moved an application seeking extension of time for presentation of challan. Notice was issued in the said application and the same was allowed by the trial Court vide order dated 12.01.2015 and prosecution was granted six weeks time to present the challan.

Learned State counsel who is assisted by Assistant Sub

Inspector Gange Ram has submitted that now challan has been presented in the Court.

Since in the present case, prosecution had already moved an application for extension of time to present the challan before the expiry of the requisite period, application moved by the petitioner on 12.01.2015 seeking bail under Section 167(2) Cr. P.C., was liable to be dismissed as the application moved by the prosecution seeking extension of time to present the challan had been allowed.

Hence, no ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

February 25, 2015
m.singh