

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9080 of 2015.

Decided on:-July 31, 2015.

Gaurav Sharma alias Gopi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Jagjit Singh, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.

This is second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.30 dated 13.2.2014 under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.4, District Ludhiana City.

The allegation against the petitioner is that on 13.2.2014, the petitioner along with other co-accused was found in possession of 350 gms. of heroin during a search conducted by the police for which the aforesaid case was registered against them.

Learned counsel for the petitioner submits that this Court on 9.4.2015 has noted that the prosecution has not submitted a report, therefore, it was not a complete challan as provided under Section 173 Cr.P.C. He

further submits that since the challan has not been put up within 180 days, therefore, the petitioner-accused is entitled to bail under Section 167 Cr.P.C. and the plea of the prosecution that there is a huge recovery of narcotics is involved, is irrelevant. In support of his contention, he has placed reliance upon a judgment of this Court in **2015(2) RCR (Criminal) 1022** titled **Pardeep Kumar Versus State of Punjab**.

Learned State counsel, on the other hand, submits that in the case in hand, report from the Forensic Science Laboratory has been received and the same has been submitted to the concerned Court. Controverting the aforesaid judgment in **Pardeep Kumar's case (supra)**, learned State counsel while relying upon a judgment of this Court in **Criminal Revision No.2092 of 2014** titled **Sukhwinder Kumar @ Sukha Versus State of Punjab** and other connected revision petitions, decided on May 13, 2015, contends that the investigating agency can submit other evidence by way of supplementary challan.

Considering the fact that in the present case, report from the Forensic Science Laboratory has been received and the same has been submitted in the Court which forms part of the challan, no ground to grant regular bail to the petitioner is made out.

Accordingly, the present petition filed under Section 439 Cr.P.C. for grant of regular bail is dismissed.

July 31, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE