

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

CRR No. 1243 of 2015 (O&M)

Date of decision: 22.04.2015

Lakhwinder Singh @ Binder

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Jatinder Nagpal, Advocate, for the petitioner.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

The petitioner moved before Special Judge, Fatehgarh Sahib, for grant of bail under Section 167 (2) of the Code of Criminal Procedure, but his application was dismissed as charge-sheet had been filed by the police within the extended period of time.

Initially, 180 days were expiring on 20.10.2014 and much before that prosecution had filed an application for extension of time, which was granted for 60 days, i.e. up to 19.12.2014. Again application was moved before the period had expired and further extension up to 19.01.2015 was granted. Charge-sheet was put in Court on 05.01.2015.

It is submitted by the State counsel that charge-sheet having been filed within the extended period of time, the petitioner is not entitled to bail under Section 167 (2) of the Code of Criminal Procedure.

Counsel for the petitioner submits that co-accused was granted interim bail by this Court on 23.12.2014 under Section 167 (2) of the Code of Criminal Procedure though by then the period had been extended by the

Court below.

However, in the order passed in CRM-M No. 41033 of 2014 regarding co-accused Kulbir Singh @ Soni granting bail under Section 167 (2) of the Code of Criminal Procedure, it was observed that no compelling reasons were given while allowing the application for extension of time.

The petitioner has not challenged the order vide which the trial Court extended the time on both occasions.

In view of the above, no case is made out for bail under Section 167 (2) of the Code of Criminal Procedure.

Dismissed.

(NAVITA SINGH)
JUDGE

22.04.2015
Ramesh