

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

CRM-M No. 3564 of 2016 (O&M)

Date of Decision: 04.03.2016

Satinder Singh alias Monty

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Saurabh Bhardwaj, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by HC Balkar Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 read with Section 167 (2) of the Code of Criminal Procedure, is for grant of default bail on behalf of the accused/petitioner-Satinder Singh alias Monty in case FIR No. 142, dated 27.05.2015, for offences punishable under Sections 22, 61, 85, Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Tripuri Town, Patiala.

As per allegations, there is alleged recovery of 1100 intoxicant tablets from the conscious possession of the accused/petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.05.2015 and due to non-receipt of FSL report and non-filing of challan after the expiry of 180 days, the petitioner is entitled to grant of default bail provided under Section 167 (2) Cr.P.C.

Learned State Counsel, assisted by HC Balkar Singh, submits that learned trial Court on the application of prosecution had already extended the time beyond 180 days for a period of one month, which expired on 21.12.2015 and the challan stands filed on 18.12.2015 and, therefore, the petitioner is not entitled to grant of default bail.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to challenge the order passed by the trial Court extended the time for filing the challan.

Dismissed as withdrawn with the aforesaid liberty.

March 04, 2016

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**(JASWANT SINGH)
JUDGE**