

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38677-2016 (O&M)

Date of decision: November 10, 2016.

Bharat Kalra

... **Petitioner**

v.

State of Punjab

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri V.K. Sandhir, Advocate for the petitioner.
Ms. Rimpaljit Kaur, Assistant Advocate General, Punjab.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties. In FIR No.42 dated 27.7.2016, under Section 379-B/34 IPC, PS D Division, Amritsar, the petitioner was arrested on 4.8.2016, as stated by Learned Counsel for the State on instructions from ASI Amar Nath. Learned Counsel for the State further makes a statement that the challan is under preparation but has not been filed. This application, therefore, need not be decided on merits since under Section 167(2) Cr.P.C. by way of statutory right, the petitioner would be entitled to grant of bail as there is default in filing the challan within statutory period. Therefore, without delving on the merits of the case, this petition is allowed and the petitioner is granted bail under Section 167(2) Cr.P.C. to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[**A.B. Chaudhari**]
Judge

November 10, 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No