

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

**CRR No.2405 of 2017 (O&M)
Date of Decision: July 26, 2017**

Iqbal Singh alias Kali

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.K.Ganga, Advocate
for the petitioner.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Iqbal Singh @ Kali under Section 401 Cr.P.C. against respondent State of Haryana, challenging the impugned order dated 25.05.2017 passed by learned Addl. Sessions Judge, Sirsa, vide which the bail application filed by petitioner under Section 167(2) Cr.P.C. was dismissed.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that in the present case, admittedly the petitioner was arrested on 27.08.2016 and the challan (report under Section 173 Cr.P.C.) was presented before the Court on 16.11.2016 i.e. within the period of six months. It is also admitted that as per prosecution version, the recovery from the petitioner falls under commercial quantity. Therefore, the prosecution can file the challan within 180 days and the challan has been

The only argument of learned counsel for the petitioner is that the challan was filed without FSL report and it was incomplete. It is admitted at the time of arguments that challan was filed before the Court and it was not returned by the Court by saying that it is an incomplete challan. The FSL report has been received afterwards.

The presentation of challan shows that investigation on the part of the Investigating Officer was complete and he filed the challan before the Court.

Further, I find that the purpose of granting bail under Section 167(2) Cr.P.C. is only to compel the Investigating Officer to present the challan and complete the investigation within statutory period. The FSL report is to be sent by Forensic Science Laboratory and the Investigating Officer is not to do anything. The report is simply to be attached with the challan or it can be received by the Court after the presentation of the challan.

In view of the above discussion, I find that the order dated 25.05.2017 passed by learned Addl. Sessions Judge, Sirsa, is correct, as per law and does not require any interference from this court.

Therefore, finding no merit in the present revision petition, the same is dismissed.

July 26, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No