

CRR-3067-2017

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

**CRR-3067-2017 (O & M)
Date of Decision:01.09.2017**

Angrej Singh @ Kabbi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Daljit Singh, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Angrej Singh @ Kabbi has filed this revision petition against respondent-State of Punjab, under Section 401 Cr.P.C. challenging order dated 02.07.2016 passed by learned Additional Sessions Judge, Amritsar vide which bail application filed by the petitioner was dismissed.

Alongwith the present revision, an application under Section 482 Cr.P.C. for condonation of delay of 331 days in filing the present revision has also been filed.

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

Learned counsel for the petitioner stated that delay in filing the present revision petition was due to the objection raised by the Registry that petition for grant of regular bail is not maintainable against the impugned

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order of bail passed by learned Additional Sessions Judge, Amritsar, under Section 167(2) Cr.P.C. read with Section 36-A of the NDPS Act, 1985 in view of law laid down by this Court passed in CRR-2087-2014, titled as 'Ranjit Singh vs. State of Punjab' and, therefore, the present revision was filed and petition for regular bail was modified.

From the record, I find that application under Section 167(2) Cr.P.C. has been dismissed by learned Additional Sessions Judge, Amritsar, vide impugned order dated 02.07.2016. There is a delay of almost one year in filing the revision petition against the impugned order. The averment that Registry has raised the objection in filing the petition, is not supported by any document. Long delay of about one year has not been explained by the petitioner. It is settled that law regarding delay is liberal and explanation is to be construed liberally, but in the present case, there is no cogent explanation to condone such a long delay and it looks that the revision petitioner is grossly negligent in filing the revision. Even if it is taken that the Registry has raised objection that instead of petition for regular bail, revision is maintainable, then delay of 331 days, itself, cannot occur. The petitioner should have filed the revision petition after some days of raising the objections.

From the above discussion, I find that the petitioner is grossly negligent in filing the revision petition and delay has not been explained. Therefore, application seeking delay of 331 days in filing the revision petition is dismissed.

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As the application for condonation of delay in filing the main revision has been dismissed as stated above, consequently the main revision also stands dismissed.

01.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No