

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

Criminal Misc. No.M-37318 of 2021(O&M)

Date of Decision: September 10, 2021

Anil @ Honey

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Lalit Pardhan, Advocate
for the petitioner.

Mr.Surender Singh, AAG, Haryana.

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HARINDER SINGH SIDHU, J.

This petition is filed under Section 482 Cr.P.C. challenging the order dated 12.08.2021 passed by Ld. Judicial Magistrate 1st Class, Safidon, whereby the application of the petitioner for grant of default bail under Section 167(2) Cr.P.C. was dismissed. Challenge is also to the order dated 03.09.2021 passed by Ld. Additional Sessions Judge, Jind dismissing the revision of the petitioner.

The petitioner is an accused in case FIR No.168, dated 30.05.2021, under Sections 170, 332, 353, 419, 420, 467, 468, 506 IPC registered at Police Station Sadar Safidon, District Jind.

It is the case of the petitioner that the Police has failed to submit its final report (challan) within sixty days of his arrest and, thus, he is entitled to default bail.

In the FIR, the petitioner is also alleged to have committed an

offence under Section 467 IPC, wherein, the punishment provided is imprisonment of life or imprisonment of either description for a term which may extend to ten years. In other words, the maximum punishment provided for the offence allegedly committed by the petitioner is imprisonment for life. Accordingly, for the purpose of filing a report under Section 173 Cr.P.C., the prosecuting agency has a period of 90 days and not 60 days.

In **Jagmal Singh v. State of Haryana 2012(4) Law Herald 3219 (P&H)** it has been clearly held that where the accused is alleged to have committed an offence under Section 467 Cr.P.C., the period provided for submitting challan before the Illaqa Magistrate is 90 days.

In view of the above, there is no illegality in the impugned orders.

Petition dismissed.

September 10, 2021

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No