

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

CRR-495-2023

DATE OF DECISION : 27.07.2023

Mandeep alias Monu

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. N.S.Sodhi, Advocate, for
for the petitioner.

Mr.Rahul Dev Singh, Addl. A.G., Haryana

ARUN MONGA, J,(ORAL)

Present petition has been filed by the petitioner being aggrieved against the impugned order dated 08.12.2022 vide which he has been declined default bail under Section 167(2) Cr.P.C.

On 12.07.2023, the following order was passed:-

"On a Court query, learned State counsel seeks time to file an affidavit qua challan dated 05.12.2022 which has already been filed before learned Trial Court as to whether the same is complete in all respects or there is any contemplation to file a supplementary challan."
Post it on 27.07.2023"

Apropos, a status report, dated 21.07.2023 has been filed by the State. Paragraph no.3 thereof reads as below:-

" 3. That in pursuance of order dated 12.07.2023 it is submitted that the Challan dated 05.12.2022 already filed in the Ld. Trial court is complete Challan in all respects and no further supplementary Challan is to be given in the Ld. Trial court. In this FSL report inadvertently the date of the case and Batch no. of 1st exhibits were mentioned as "30.12.2022 and batch no. PLOTENIS" instead of "30.11.2022 and batch no. PL07EWIS". This mistake was rectified by Asst. Director (NDPS) FSL Haryana, Madhuban, Karnal vide his report dated 07.12.2022 which was submitted in the Learned Trial court on 08.12.2022"

In the aforesaid premise, it is clear that the *challan* already stands filed. Even the FSL report alongwith the *challan* has been filed. As per the report *qua* contents and weight of the contraband allegedly recovered from the petitioner has been received and already filed. It was merely an inadvertent mistake whereby the date of the case and Batch no. of 1st exhibits were mentioned as "30.12.2022 and PLOTENIS", respectively, instead of "30.11.2022 and batch no. PL07EWIS", which were rectified subsequently.

In the premise, no case for default bail is made out as the requirement of law stands fully complied with.

Dismissed.

Pending application(s), if any, shall also stand disposed of.

27.07.2023
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(ARUN MONGA)
JUDGE

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