

2026:PHHC:021576



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

141

**CRR-3308-2025 (O&M)
Date of decision: 26.02.2026**

Sant Lal @ Santa**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sanjiv Kumar, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The instant revision petition has been filed by the petitioner challenging the order dated 19.11.2025, passed by the Court of learned Additional Sessions Judge, Panipat in case arising out of FIR No. 631 dated 19.09.2024, registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS Act') at Police Station Chandni Bagh, Panipat, whereby an application filed by the petitioner under Section 187(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS'), seeking default bail, had been dismissed.

2. It is argued by learned counsel for the petitioner that the aforementioned FIR has been registered against the petitioner and co-accused Anil with the allegations that they were found to be in possession of 02 kgs. 100 grams of *Charas* on 19.09.2024. After completion of necessary investigation and usual formalities, challan under Section 193 of BNSS was presented in the Court on 31.01.2025. The petitioner had filed the aforesaid application seeking

2026:PHHC:021576



grant of default bail on the ground that incomplete challan was filed by the prosecution on 31.01.2025 as the FSL report and some other documents were not made part of it. However, the same had been dismissed by the learned trial Court by passing the impugned order without appreciating the facts of the case. The learned trial Court ignored the fact that challan report was incomplete and even an application was filed by the petitioner on 29.10.2025 seeking direction to the prosecution to supply the complete copy of the challan report and it had issued notice of the same. It is, therefore, urged that the revision petition deserves to be accepted, the impugned order is liable to be set aside and the petitioner deserves to be released on default bail.

3. Reply has been filed by the respondent-State. Learned State counsel has argued that there is no infirmity or illegality in the impugned order. The challan report was presented before the Court concerned on 31.01.2025 along with all the documents/enclosures including FSL report dated 10.10.2024. Hence, the claim of the petitioner regarding submission of incomplete challan stands falsified. It is, accordingly, urged that the petition is liable to be dismissed being devoid of any merit.

4. This Court has heard the submission made by both the sides, beside perusing the material placed on record.

5. The sole contention raised on behalf of the petitioner is that the challan presented on 31.01.2025 was an incomplete challan, as the FSL report and certain other documents were allegedly not annexed, thereby entitling the petitioner to the concession of default bail under Section 187(3) of BNSS. However, the said contention does not merit acceptance. A perusal of the impugned order reveals that the learned trial Court sought a specific report from

2026:PHHC:021576



the concerned Ahlmad, who categorically reported that the challan had been presented on 31.01.2025 along with the FSL report dated 10.10.2024. The bail application seeking default bail was admittedly filed much later on 15.11.2025. Once the challan along with the FSL report had already been presented before the competent Court well before the filing of the application seeking default bail, the indefeasible right to default bail, if any, stood extinguished. Mere filing of an application for supply of copy of complete challan does not conclusively establish that the challan was filed incomplete.

6. Even if for the sake of arguments, it is believed that challan report was filed without FSL report, it is well settled that mere non-filing of the FSL report along with the police report does not render the challan incomplete so as to confer an indefeasible right of default bail upon the accused. Once a police report under Section 193 BNSS is filed within the prescribed period, containing the essential particulars such as the nature of the offence, details of the accused, statements of witnesses and material collected during investigation, the statutory requirement stands satisfied. The FSL report, being a piece of corroborative evidence, can be filed subsequently by way of supplementary challan and its absence at the initial stage does not vitiate the prosecution or revive the right to default bail. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Central Bureau of Investigation v. R.S. Pai, (2002) 5 SCC 82*, wherein it was held that further documents and reports can be produced by the prosecution even after filing of the challan. Reliance can also be placed upon *Narendra Kumar Amin v. CBI, 2015 (1) RCR (Criminal) 566*, wherein Hon'ble Supreme Court had authoritatively held that filing of a police report containing the particulars contemplated under Section 173(2) Cr.P.C.

2026:PHHC:021576



(which is *pari matria* with Section 193(3) of BNSS) within the stipulated period amounts to completion of investigation, notwithstanding the fact that all documents or expert opinions were not annexed therewith.

7. Further, reliance can also be placed upon **Suresh Kumar Bhikamchand Jain v. State of Maharashtra, 2013 (2) RCR (Criminal) 170**, wherein the Hon’ble Supreme Court held that once a charge-sheet is filed within the statutory period, the accused cannot claim default bail merely because cognizance has not yet been taken or because certain documents are filed later.

8. Now coming back to the case in hand. At the cost of repetition, it can be stated that the record clearly reveals that the challan under Section 193 BNSS was presented on 31.01.2025 and, as reported by the concerned Ahlmad, the same was accompanied by the FSL report dated 10.10.2024, much prior to the filing of the application seeking default bail on 15.11.2025, thereby extinguishing any alleged infeasible right under Section 187(3) BNSS in favour of the petitioner. Even otherwise, it is a settled position of law as discussed above that mere non-attachment of the FSL report or some other documents along with the police report does not render the challan incomplete nor does it confer any right of default bail upon the accused, as such reports can validly be filed subsequently by way of a supplementary challan. As such, no ground has been made out for interfering with the impugned order. Accordingly, the petition is dismissed.

26.02.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No