

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

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2025:PHHC:132660



Date of decision: 23.09.2025.

(1)

CRM-M-49804-2019 (O&M)

BALWINDER SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

(2)

CRM-M-542-2020 (O&M)

RAJINDER SINGH ALIAS BUNTY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

(3)

CRM-M-543-2020 (O&M)

DEEPAK RAI

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

(4)

CRM-M-55010-2019 (O&M)

DEEPAK TIWARI

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. S.S. Rangji, Advocate, with
Mr. Fateh Sahota, Advocate,
for the petitioner(s) in CRM-M-49804-2019.

Mr. Mrigank Sharma, Advocate,
for the petitioner(s) in CRM-M-542-2020 and
CRM-M-543-2020.

None for the petitioner(s) CRM-M-55010-2019.

Mr. I.P.S. Sabharwal, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-36543-2019 and CRM-22767-2023 in CRM-M-49804-2019
CRM-462-2020 in CRM-M-542-2020
CRM-482-2020 in CRM-M-55010-2019

Applications are allowed as prayed for subject to all just exceptions.

Annexures are taken on record.

The Registry is directed to tag the same at an appropriate place.

Main cases

This order shall dispose of the above mentioned four petitions that have been filed by the different accused in the same FIR.

Challenge in these petitions is to the order dated 13.11.2019 passed by the Additional Sessions Judge, Patiala, whereby the revision(s) filed by the State against the order dated 24.05.2019 and 23.05.2019 respectively whereby bail to the petitioners Balwinder Singh, Rajinder Singh and Deepak Rai; and the petitioner Deepak Tiwari under Section 167 (2) of the Code of Criminal Procedure, 1973, had been allowed and the orders granting bail on 24.05.2019 and 23.05.2019 were set aside.

Learned counsel appearing on behalf of the petitioner(s) submit that the matter was initially heard on 25.11.2019 and the following order was passed: -

*“Relying on the judgment in case of **Som Nath and another Vs. State of Punjab 2011(3) R.C.R. (Criminal) 515**, learned counsel for the petitioner argues that where the offence is punishable with life imprisonment or sentence extending upto 10 years, the period of custody under Section 167(2) CR.P.C. is to be considered as 60 days and not 90 days. Learned Sessions*

Judge has committed error while arriving at the conclusion that limitation for presentation of challan is 90 days.

Notice of motion for 24.02.2020.

Arrest of the petitioner shall remain stayed, till the next date, but there is no stay of proceeding before investigating officer or trial Court.”

It is contended that over the past period of nearly 06 years, the petitioners have been regularly appearing before the trial Court and that the trial is now at the fag end.

The aforesaid claim is not disputed by the counsel for the respondent-State.

Consequently, the present petitions are disposed of confirming the orders dated 24.05.2019 and 23.05.2019 respectively and the order dated 13.11.2019 passed by Additional Sessions Judge, Patiala, is accordingly set aside.

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

A photocopy of the order be placed on the connected file(s).

**September 23, 2025.
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**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No