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CRM-M-34265 of 2020

Tejinder Singh @ Teja

Vs.

State of Punjab and another

Present : Mr. Saurav Bhatia, Advocate,
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.
(Presence marked through video conference).

Inter alia contends that the learned Chief Judicial Magistrate was not competent to grant extension of time to the investigating agency for completion of investigation. Which, in the process, has also resulted in denial of default bail to the petitioner under Section 167(2) Cr.P.C. He contends that petitioner has been implicated under the provisions of Unlawful Activities Prevention Act, 1967 and only Sessions Court is competent to grant any such extension. Furthermore, contends the learned counsel, that even notice of the application seeking extension of investigation was not issued to the petitioner, which is in violation of the Apex Court's judgment in ***Hitendra Vishnu Thakur Vs. State of Maharashtra*** reported as **1994 (4) SCC 602**.

Notice of motion.

Mr. P.S. Walia, AAG, Punjab, who has joined proceedings on service of advance copy of the petition appears and accepts notice on behalf of the respondent-State of Punjab and seeks time to get instructions.

Adjourned to 23.11.2020.

OCTOBER 28, 2020
vandana

(ARUN MONGA)
JUDGE