

**SUPREME COURT OF INDIA**

Balwinder Singh

Vs.

State of Punjab

Crl.A.No.829 of 2002

(Dr.Arijit Pasayat and P.P. Naolekar JJ.)

13.06.2008

**ORDER**

1. Heard.

2. By dated 22nd August, 2001, a learned Single Judge of Punjab and Haryana High Court cancelled the bail granted to the appellant by another learned Single Judge of the High Court. The protection in terms of Sec. 438 Cr.P.C. was in terms of order dated 30.3.2000 of learned Single Judge.

3. We have heard learned counsel for the parties. As has been held by this Court in *Adri Dharan Das vs. State of West Bengal*<sup>1</sup>, grant of protection under Sec.438 Cr.P.C. is not for an indefinite period. Within the time to be stipulated in the order prayer for regular bail has to be made and considered on merit. Therefore, we direct that the order dated 30.3.2000, as was originally passed by a learned Single Judge, shall be operative for a period of six weeks within which period the appellant shall seek regular bail in terms of what has been stated in aforesaid decision of this Court.

The Criminal Appeal is disposed of accordingly.

<sup>1</sup>2005(4) SCC 303