

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

CRM-M-25050-2015

Date of decision: 27.08.2015

Vipin Mahant and anr.

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. J.S. Dahiya, Advocate
for the petitioners.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.33 dated 12.02.2014 under Sections 148, 149, 427, 323, 307, 506 IPC and Section 25 of Arms Act, registered at Police Station Ladwa, District Kurukshetra.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioners, at the very outset, submits that since petitioner No.1 could not appear before the learned Illaqa Magistrate in compliance of the order dated 03.08.2015 passed by this Court, he does not intend to press this petition on behalf of petitioner No.1 and he may be granted permission to withdraw the present petition on behalf of petitioner No.1.

Permission is granted.

Dismissed as withdrawn on behalf of petitioner No.1.

Learned counsel for petitioner No.2 submits that in compliance of the order dated 03.08.2015 passed by this Court, he has appeared before the learned Illaqa Magistrate and learned Judicial Magistrate 1st Class, Kurukshetra, vide his order dated 18.08.2015 accepted the bail bonds of the petitioner. Certified copy of the order dated 18.08.2015 passed by learned Judicial Magistrate 1st Class, Kurukshetra has been placed before this Court, which is taken on record as Mark 'A'. He further submits that since the challan has already been presented, petitioner is no more required for the purpose of any further investigation.

The abovesaid factual aspect of the matter could not be denied by learned counsel for the State, on instructions from ASI Surinder Singh, Police Station Ladwa, Kurukshetra and rightly so, it being a matter of record.

In view of the above, instant petition is allowed, however, only qua petitioner No.2. Order dated 03.08.2015 passed by this Court is hereby made absolute, however, qua petitioner No.2 only.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

27.08.2015
vishnu