

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

CRM-M No.25177 of 2015

Date of Decision:-30.09.2015

Rakesh Kumar @ Rockey.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rajesh Bhateja, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Navdeep Monga, Advocate for the complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of anticipatory bail under Section 438 Cr.PC to the petitioner-Rakesh Kumar @ Rockey in case FIR No.244 dated 18.11.2014 for offences punishable under Sections 307 & 34 of IPC registered with Police Station City Moga, District Moga.

On the previous date of hearing i.e. 19.09.2015 following order was passed:-

“ *Prayer is for grant of anticipatory bail to the petitioner in case FIR No.244 dated 18.11.2014 for offences punishable under Sections 307 & 34 of IPC registered with Police Station City Moga, District Moga.*

Learned Counsel for the petitioner contends that the petitioner seeks forgiveness from his complainant-wife and is

ready to rehabilitate. For the sake of his two children, he seeks one opportunity.

List on 30.09.2015.

Parties to be present in Court on the next date of hearing.

ASI Balwinder Singh-IO who is present in Court is directed to ensure the presence of the complainant on the next date of hearing. The petitioner shall pay a sum of Rs.2,000/- to the complainant as travelling expenses by way of cash.

Till the next date of hearing, petitioner shall not be arrested and in the event of his arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC. ”

At the time of hearing today learned Counsel for the petitioner submits that inspite of due intimation and reminders, the petitioner is not responding and thus is not willing to abide by his stand, as stated on the previous date of hearing. Neither the costs have been paid. Faced with such embarrassing situation learned Counsel for the petitioner prays for permission to withdraw the present petition.

Dismissed as withdrawn.

**(JASWANT SINGH)
JUDGE**

September 30, 2015
Vinay