

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

CRM-M-37729-2015

Date of decision: 15.12.2015

Kuldeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

Mr. J.S. Dadwal, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner, by way of instant 2nd petition under Section 438 Cr.P.C., seeks pre-arrest bail in FIR No.109 dated 30.08.2015 under Sections 323, 324, 307, 341, 379-B, 34 IPC, registered at Police Station Mehtiana, District Hoshiarpur.

Notice of motion was issued.

Learned counsel for the State, on instructions from SI Gurwinder Kumar, Police Station Mehtiana, Hoshiarpur, submits that the CD has been thoroughly examined and thereafter, it has been made out that the said CD was prepared not right from the beginning. He further submits that since the CD does not depict the clear picture of the occurrence, petitioner cannot make, discovery of this CD as basis for moving the instant 2nd petition for anticipatory bail. He also submits that since there is no change in the circumstance, 2nd anticipatory bail petition would not be maintainable.

Faced with the above, learned counsel for the petitioner submits that since discovery of this CD was the only ground for filing and maintaining this 2nd petition for anticipatory bail, he may be permitted to withdraw the present petition.

Permission is granted.

Dismissed as withdrawn.

15.12.2015
vishnu

[RAMESHWAR SINGH MALIK]
JUDGE