

CRM-M-43683-2013

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

CRM-M-43683-2013 (O & M)
Date of decision: 13.03.2015

Gaurav Mantrao

....Petitioner(s)

Versus

State of U.T. of Chandigarh and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr.Nand Lal Sammi, Advocate,
for the petitioner.

Ms. Ashima Mor, Advocate,
for U.T.Chandigarh.

Ms. Divya Sharma, Advocate,
for respondents no.2 and 3.

PARAMJEET SINGH, J. (ORAL)

CRM-6433-2015

Allowed, as prayed for. Counter-affidavit of the petitioner is
taken on record.

CRM-M-43683-2013

Instant petition has been filed under Section 438 Cr.P.C. for
grant of anticipatory bail to the petitioner in case FIR No.536 dated
30.10.2013, registered at Police Station Sector 39, Chandigarh, under
Sections 406 and 498-A of the Indian Penal Code.

CRM-M-43683-2013

Learned counsel for the petitioner has argued for half an hour. Thereafter, learned State counsel and learned counsel for respondents no.2 and 3 have brought into notice of the Court that FIR (Annexure P-1) consists of seven pages whereas only two pages of it have been referred to in Annexure P-1. FIR (Annexure P-1) is incomplete and entire FIR has not been annexed wherein many other allegations have been levelled against the petitioner.

Learned counsel for the petitioner has been shown the copy of complete FIR from the file of investigating officer. Upon this, learned counsel has realized that FIR (Annexure P-1) is incomplete.

Being faced with this situation, learned counsel for the petitioner wants to withdraw the instant petition with liberty to file afresh.

However, in the peculiar facts and circumstances of the case and considering the fact that the petitioner has already availed the benefit of interim relief on the basis of incomplete FIR (Annexure P-1), no liberty as prayed for can be granted to the petitioner.

Dismissed as withdrawn.

13.03.2015
parveen kumar

(PARAMJEET SINGH)
JUDGE