

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

CRM-M-9040-2015 (O&M)

Date of decision : 23.03.2015

SEHZAD

....PETITIONER

VS

STATE OF HARYANA

...RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Jamshed Ahmed, Advocate for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is second petition for anticipatory bail. Earlier the petitioner had filed CRM-M No. 5817 of 2015 which was decided on 27.02.2015 with the following order:-

“ This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.42 dated 31.01.2015 registered under Sections 379, 411 IPC, at Police Station Tauru, District Mewat.

After arguing for some time, learned counsel for the petitioner states that he does not wish to press this petition but liberty may be granted to the petitioner to surrender before the Illaqa Magistrate/trial Court and move an application for regular bail and that a direction be also issued to the Court to decide the said application expeditiously.

I find this to be a fair request.

Allowed as prayed for.

Let the petitioner surrender before the Illaqa Magistrate/trial Court on 09.03.2015 and move an application for regular bail which shall be decided by the Court expeditiously

but in any case within two days.

Petition stands disposed of in the above terms.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.”

It is stated that the petitioner could not surrender for certain reasons before the court on the date fixed and in the meantime co-accused approached this Court by way of filing CRM-M No. 6958 of 2015 in which he was granted interim bail. In these circumstances it is urged that the petitioner should also be granted the same concession.

In my opinion the mere fact that another co-accused was granted interim bail would not entitle the petitioner to anticipatory bail particularly when the earlier petition was withdrawn with liberty to surrender before the trial Court .

In the circumstances the petition is dismissed. However, the date for surrendering is fixed at 31.03.2015 in terms of the order dated 27.02.2015.

(AJAY TEWARI)
JUDGE

March 23, 2015
sunita