

In the High Court of Punjab and Haryana at Chandigarh

CRM M-2757 of 2016

Date of Decision: January 25, 2016

Deepak Kumar

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Ashok Kumar Khunger, Advocate,
for the petitioner.

Paramjeet Singh Dhaliwal, J. (Oral)

This is a second petition filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 24 dated 07.05.2015, under Sections 406/420 of the Indian Penal Code, registered at Police Station City 2 Abohar, District Fazilka.

Learned counsel for the petitioner contends that earlier bail application i.e. CRM M-22751 of 2015 was dismissed as withdrawn. Thereafter, on 28.07.2015, petitioner has been found innocent by the Investigating Agency.

I have heard learned counsel for the petitioner and perused the record.

Earlier bail application i.e. CRM M-22751 of 2015 was dismissed as withdrawn by this Court vide order dated 16.07.2015 with following observations:-

“Learned counsel for the petitioner wants to withdraw the instant petition, however, prays that his application for regular

bail may be directed to be considered and decided by the trial Court on the same day of its filing.

Dismissed as withdrawn.

If the petitioner moves application for regular bail, the same shall be considered by the trial Court expeditiously, if police remand is not sought.”

The petitioner has not approached the trial Court. Instead he has filed this petition on the ground that he has been found to be innocent. If that is so, , then question of arrest of the petitioner does not arise. Thus, the present petition is frivolous.

In view of above, instant petition is dismissed.

January 25, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge