

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

**Criminal Misc.No.M-30330 of 2016 (O&M)
Date of Decision : 26th September, 2016**

Surender Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vinod S.Bhardwaj, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana,
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Shri Phool Kumar, Addl. Superintendent of Police, Bhiwani, is present and states that the Superintendent of Police, Bhiwani had proceeded on leave by the time the intimation by the office of Addl. Advocate General had reached.

In these circumstances, the absence of the Superintendent of Police, Bhiwani, is excused.

The Addl. Superintendent of Police further states that in this case, the Tehsildar has not been found to be involved because in the application moved by the main petitioner, there was no averment that he was from the 'kalal' caste and it was only mentioned that he belongs to 'kahar' caste and this fact having been attested by the Patwari and Nambardar, the certificate was issued by the Tehsildar and these persons have now been arrested.

Criminal Misc.No.M-30330 of 2016 (O&M)

-2-

Therefore, the abovesaid explanation is accepted and his presence is no longer required.

As regards the prayer for bail, learned counsel for the petitioner, after arguing for some time, does not press the instant petition and states that liberty may be granted to the petitioner to surrender before the Competent Court and move an application for grant of regular bail and a direction may be issued to the Court to decide the said application expeditiously.

Accordingly, the instant petition stands dismissed as not pressed. In case, the petitioner surrenders before the Competent Court on or before 03.10.2016 and moves an application for grant of regular bail, the same shall be decided expeditiously on merit by the learned trial Court but in any case on or before 06.10.2016.

(AJAY TEWARI)
JUDGE

26th September, 2016
mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No