

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

***CRM No.M-34735 of 2015 (O&M)
Date of Decision:20.05.2016***

Kulwinder Singh @ Kinder

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Saurabh Sharma, Advocate for the petitioner.
Mr. Vivek Saini, DAG, Haryana.
Mr. Ashit Malik, Advocate for the complainant.
....

TEJINDER SINGH DHINDSA.J.

The present petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.212, dated 01.11.2014, under Sections 302/34 IPC, registered at Police Station Sadar Ladwa, District Kurukshetra.

During the course of arguments, it has gone uncontroverted that in terms of order dated 14.07.2015 passed by the learned Additional Sessions Judge, Kurukshetra, the petitioner was declared a juvenile. Complainant-Inderjit Singh towards assailing the order dated 14.07.2015 filed CRR No.2695 of 2015 which has also been dismissed on 07.04.2016.

In other words, the order declaring the petitioner as a juvenile has been upheld by this Court.

In the light of such development, counsel prays for withdrawal of the present petition with liberty to approach the Competent Court i.e. the Juvenile Justice Board, Kurukshetra for grant of benefit of bail.

Such prayer and submission is not opposed by counsel appearing for the complainant.

Prayer is allowed. Petition is dismissed as withdrawn with liberty as prayed for.

It is clarified that in terms of such liberty having been granted, the order dated 18.09.2015 passed by the learned Additional Sessions Judge, Kurukshetra declining an application that had been preferred by the petitioner under Section 439 Cr.P.C. would not stand in his way.

Disposed of.

20.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**