

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

CRM-M No.4251 of 2016 (O&M)

Date of Decision: 10.02.2016

Sanjay Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vaneet Soni, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by A.S.I. Mahender Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.371 dated 24.11.2015, under Sections 323, 506, 379-B, IPC (Sections 379/379-A (2), IPC have been deleted and Section 379-B, IPC added later on), registered with Police Station Civil Lines Kaithal, District Kaithal (**Annexure P-1**).

As per the allegations, *inter alia*, on 24.11.2015 at about 6:45 PM, complainant-Hitanshu Goyal, who is a student of MBA, was going for walk in a Park on his motorcycle, petitioner/accused-Sanjay Kumar while coming on his motorcycle asked the complainant-Hitanshu Goyal to stop his motorcycle and demanded mobile phone from the complainant for making a call. When complainant refused to do the same, petitioner manhandled him and put chilly like powder in his eyes and also gave brick blow on his head. Petitioner/accused snatched the mobile phone of the complainant and also threatened to kill him.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner is in custody since 27.11.2015.

Learned State Counsel, assisted by ASI Mahender Singh, submits that the charges have been framed against the petitioner and the complainant is yet to be examined.

At this stage, learned Counsel for the petitioner/accused wishes to withdraw the present petition.

Dismissed as withdrawn.

February 10, 2016

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**(JASWANT SINGH)
JUDGE**