

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

**CRL. MISC. No.M-5317 OF 2016
DATE OF DECISION :15th FEBRUARY, 2016**

Bhagat Singh

.... **Petitioner(s)**

Versus

State of Haryana

.... **Respondent(s)**

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

* * * *

Present : Mr. S. K. Tripathi, Advocate for the petitioner.

Mr. Sanjeev Gupta, Advocate for the complainant.

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ANITA CHAUDHRY, J. (ORAL)

This is second petition filed under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.291 dated 15.07.2015 registered under Sections 365, 376 and 120 IPC at Police Station SGM Nagar, District Faridabad.

The petitioner had failed to place on record the order passed on the first bail petition. The complainant side has appeared through counsel and had placed its copy on record and stated that the matter was argued at length on the previous bail petition and at the last stage the counsel appearing for the petitioner had withdrawn the petition as it was being dismissed and they were asked to then surrender and ten days time was sought.

Order dated 03.02.2016 passed in the first bail petition reads as under:

“After completing the submissions learned senior counsel for the petitioner wants to withdraw the instant petition.

The petitioner would surrender before the police on or before 10.02.2016.

Dismissed as withdrawn.”

The petition was withdrawn and the petitioner was directed to surrender. He has failed to do so. The second petition would not be maintainable.

The petition is dismissed.

15th February, 2016
‘raj’

(ANITA CHAUDHRY)
JUDGE