

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

**CRM No. M-13546 of 2017 (O&M)
Date of Decision: 24.04.2017**

Makhan Deen

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. K.S. Kahlon, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.

This is the second petition preferred by the petitioner under Section 438 Cr.P.C. seeking concession of anticipatory bail in case FIR No.62, dated 03.09.2012, under Sections 323/307/148/149 IPC, registered at Police Station Begowal, District Kapurthala.

During the course of arguments, it has gone uncontroverted that similar relief/concession had been declined by the Additional Sessions Judge, Kapurthala in the light of order dated 29.11.2012 (Annexure P- 5). Thereafter, the petitioner along with co-accused had approached this Court by filing CRM-M-4929-2013 seeking concession of pre-arrest bail but such petition was permitted to be dismissed as withdrawn in the light of order dated 21.04.2016.

Counsel has not been able to advert to and demonstrate any change of circumstance so as to justify the filing of a second petition under Section 438 Cr.P.C. seeking anticipatory bail before this Court.

Faced with such a situation, counsel prays for withdrawal of the present petition. He, however, makes a submission in the alternate that the

petitioner would be ready and willing to surrender and if thereafter an application is filed seeking regular bail, directions be issued for deciding such application forthwith.

As per prayer made by counsel, the instant petition is dismissed as withdrawn.

It is, however, observed that in case the petitioner duly surrenders within a period of one week from today and files an application seeking regular bail, the competent Court would make an endeavour to expedite the disposal of the same.

Disposed of.

24.04.2017

harjeet

(TEJINDER SINGH DHINDSA)

JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |