

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

**CRR No.2499 of 2017 (O&M)
Date of Decision: July 21, 2017**

Randhir Singh @ Dhira Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.D.S.Pheruman, Advocate
for the petitioner.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Randhir Singh @ Dhira Singh against respondent State of Punjab, challenging the impugned order dated 24.04.2017 passed by learned Sub Divisional Judicial Magistrate, Patti.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that learned SDJM, Patti, passed the impugned order dated 24.04.2017 which reads as under:-

“Counsel for applicant/accused has got recorded statement that he withdraw the bail application under Section 167(2) Cr.P.C. Same may kindly be dismissed as withdrawn. In view of the statement, the present bail application stands dismissed as withdrawn. Papers be consigned to the record room.”

Against the above-said order, present revision has been filed.

The perusal of the impugned order shows that the application under Section 167(2) Cr.P.C. was withdrawn by counsel for the applicant-

petitioner by making statement and the Court has dismissed that application

as withdrawn. No illegality has been committed by learned SDJM, Patti, while passing the impugned order.

Learned counsel for the petitioner failed to point out as to what illegality has been committed by learned Court below. The application has been filed by the present petitioner before the Court below and his counsel while making statement, has withdrawn the same. It is not the case of the petitioner that his counsel was not authorized to withdraw the application. No such application has been made to revive that application under Section 167(2) Cr.P.C. There is also nothing on the record to show that present petitioner has made any oral request to the Court for releasing him on bail under Section 167(2) Cr.P.C. Learned counsel for the petitioner has denied that counsel for the applicant-petitioner has not made statement before the Court and the impugned order has been passed wrongly.

When no request has been made to the Court showing the right of the petitioner to be released on bail under Section 167(2) Cr.P.C. and further the application filed under Section 167(2) Cr.P.C. has been withdrawn by making statement, so, no illegality has been committed by learned SDJM, Patti while passing the impugned order.

In view of the above discussion, I find that the impugned order dated 24.04.2017 passed by learned SDJM, Patti, is correct, as per law and does not require any interference from this Court.

Therefore, finding no merit in the present revision petition, the same is dismissed.

July 21, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No