

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

212

Date of Decision : 22.05.2019

C.R.M-M No.12009-2019 (O&M)

Surjit

..... Petitioner

Versus

State of Punjab

..... Respondent

C.R.M-M No.14904-2019 (O&M)

Happy & anr.

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. J.S.Thakur, Advocate
for the petitioner/s

Ms.Amarjit Kaur Khurana, DAG, Punjab.

Mr. Sandeep Arora, Advocate
for the complainant.

AJAY TEWARI, J. (ORAL)

Since both the petitions have arisen from the same FIR, the same shall be decided by the common order.

Petition bearing **CRM-M-12009 of 2019** has been filed by Surjit under Section 438 Cr.P.C. for grant of anticipatory bail to him in case FIR No.209 dated 31.12.2018 registered under Sections 323/324/307/148/149 IPC and Section 326 IPC (added later on) at Police Station Division No.5, District Jalandhar Commissionerate.

And petition bearing ***CRM-M-14904 of 2019*** has been filed by Happy and Dilawar Singh under Section 438 Cr.P.C. for grant of anticipatory bail to them in case FIR No.209 dated 31.12.2018 registered under Sections 323/324/307/148/149 IPC and Section 326 IPC (added later on) at Police Station Division No.5, District Jalandhar Commissionerate.

After arguing for some time and realizing that this Court is not inclined to grant any relief to petitioner No.1-Happy in ***CRM-M-14904 of 2019***, counsel for the petitioners prays for permission to withdraw the petition bearing ***CRM-M-14904 of 2019*** qua petitioner No.1 and states that he would surrender and move an application for regular bail before the court below and a direction be issued to the court to decide his bail application expeditiously. I find this to be a fair request.

In the circumstance, the petition bearing ***CRM-M-14904 of 2019*** is dismissed as withdrawn qua petitioner No.1. It is directed that in case the petitioner No.1-Happy surrenders before the court on or before 27.05.2019 and move an application for regular bail, it shall be decided expeditiously but in any case by 29.05.2019.

Let the petitioner-Surjit in ***CRM-M-14904-2019*** and petitioner No.2-Dilawar in ***CRM-M-14904-2019*** appear before the Investigating Officer on 28.05.2019 who shall release them on anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C. and subject to the surrender of petitioner No.1-Happy in ***CRM-M-14904 of 2019***.

With the observations made above, the petition bearing *CRM-M-12009 of 2019* is disposed of and petition bearing *CRM-M-14904 of 2019* is also disposed of qua petitioner No.2-Dilawar Singh.

Since the main cases have been decided, the pending criminal miscellaneous applications, if any, also stand disposed of.

22.05.2019
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No