

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

**CRM-M No. 16656 of 2019
Date of Decision:-11.04.2019**

Momin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Inderjeet Singh, Advocate
for the petitioner.

MANOJ BAJAJ J.(Oral)

Petitioner Momin has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.31 dated 12.2.2016, under Sections 148, 149, 186, 323, 332, 353, 379, 427 and 506 IPC, registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel appearing on behalf of petitioner has produced a copy of order dated 08.4.2019 passed by co-ordinate Bench of this Court in CRM-M-13062-2019, whereby challenge was laid to the order dated 28.2.2017 passed in FIR No.31 dated 12.2.2016, under Sections 148, 149, 186, 323, 325, 379 and 506 IPC, declaring the petitioner as proclaimed offender. In the said petition, it was clearly stated by the learned counsel appearing on behalf of petitioner that the petitioner has no objection to

appear before the trial Court and to face the trial.

Considering the said statement, the petition was disposed of with a direction to petitioner to surrender on or before 19.4.2018 with a further order that in that event the order dated 28.2.2017 and the FIR No.182 dated 26.11.2018, under Section 174-A IPC, registered at Police Station Chhachhrauli, District Yamuna Nagar, shall stand quashed.

Since the petitioner has already given an undertaking before this Court for surrendering before the trial Court, therefore, the petition filed under Section 438 Cr.P.C. for pre-arrest bail in case FIR No.31 dated 12.2.2016 is completely misplaced and misconceived.

The petition is not maintainable, resultantly, the same is hereby dismissed.

April 11, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No