

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

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**C.R.M-M No.19243 of 2019
Date of Decision : 30.04.2019**

Jastinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ashish Gupta, Advocate
for the petitioner.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.141 dated 09.11.2015 registered under Sections 325, 307, 323, 427, 148, 149 IPC at Police Station Nihal Singh Wala, District Moga (but challan in the present case has been presented only under Sections 325, 323, 427, 34 IPC).

Counsel for the petitioner argues that the petitioner became proclaimed offender because he was at abroad at that time and even his name was not mentioned in the FIR.

Be that as it may, it is now well settled that the application for anticipatory bail cannot be filed at the instance of the person who is a proclaimed offender. Faced with this situation, counsel for the petitioner prays for permission to withdraw this petition and states that the petitioner 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In the circumstances, this petition is dismissed as withdrawn. It is directed that in case the petitioner surrenders before the court on or before 30.05.2019 and move an application for regular bail, it shall be decided expeditiously but in any case by 03.06.2019 on merits.

Since the main case has been dismissed as withdrawn, the pending criminal miscellaneous application, if any, also stands disposed of.

April 30, 2019
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(AJAY TEWARI)
JUDGE

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