

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

119

CRM-M-27590 of 2019

Date of decision:20.12.2019

Narain Singh @ Naina

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.H.S.Batth, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

In this petition, by which the petitioner seeks the concession of bail in terms of Section 439 of the Cr.P.C., on 7.11.2019 the following order had been passed:-

“This Court, in view of the contention raised by learned counsel for the petitioner, having ordered the petitioner to be released on bail upon his surrendering before the learned trial Court, in view of the fact that there was some confusion as regards the jurisdiction of the Police Station under which the petitioner's village would fall, and his contention having been that it was due to such confusion that he was not aware of summons etc. having been issued to secure his presence, the report of the learned Additional Judge, Tarn Taran, dated October 03, 2019, is to the effect that the petitioner has still not surrendered before the learned trial Court.

Obviously, in such circumstances, the interim order cannot be continued.

Yet, simply because it is well past 4:00 p.m. and counsel for the petitioner is not present, adjourned to 14.11.2019.

To be shown in the urgent motion list.”

Thereafter on 2.12.2019, the following order was passed:-

“Learned State counsel contends that the petitioner is on interim bail and before his petition for regular bail can be considered, he is required to surrender before the authorities.

At the request of learned counsel for the petitioner, adjourned to 18.12.2019.”

On 18.12.2019, the turn of the case having come up after 4.00 pm, none was present for the petitioner and therefore it was adjourned till today.

Today, learned counsel for the petitioner appears and submits that the petitioner wishes to withdraw the petition.

Dismissed as withdrawn, with the order dated 8.7.2019 vacated and with the order dated 3.9.2019 not having been complied with, with the petitioner not having surrendered before the trial Court, naturally all efforts would be made by the SSP, Tarn Taran, to ensure that the petitioner is immediately taken into custody forthwith.

20.12.2019
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No