

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

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**CRM-M-41151-2019
Date of Decision : 04.12.2019**

Shivraj Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.G.S.Brar, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.84 dated 15.04.2018 under Sections 354, 506, 34 IPC and Section 306 IPC (added later on) registered at Police Station Sadar Khanna, District Ludhiana.

The earlier petition filed by the petitioner seeking anticipatory bail i.e. CRM-M-31114-2018 “Shivraj Kumar Vs. State of Punjab and another” was dismissed by this Court vide order dated 12.04.2019.

Counsel for the petitioner has argued that the alleged incident has taken place on 20.02.2018. The present FIR was registered at the behest of Yashpal Kaur whose husband Surjit Singh has died because of committing suicide. He argued that deceased has made a statement before the police on 12.04.2018 in the presence of his wife and father and he has not made any allegation against the petitioner . However thereafter on 13.04.2018 the statement was made by the deceased before the Judicial

Magistrate naming the petitioner along with his brother Shrikant as accused in the case. He states that there is no allegation against the petitioner that the deceased was disturbed because of the petitioner due to which he committed suicide by ablaze himself. The co-accused Shrikant has been admitted on regular bail by this Court in CRM-M-25016-2018 on 19.07.2018.

When the counsel for the petitioner was asked the question as regards the maintainability of the second petition for anticipatory bail as earlier petition has been dismissed by this Court by a detailed order, learned counsel for the petitioner seeks withdrawal of the petition, however, with liberty to the petitioner to file a petition seeking regular bail before the trial Court. He submits that considering the fact that co-accused has already been admitted on regular bail by this Court and the petitioner being working in Ayurvedic Hospital at Khanna, the trial Court may be directed to decide the bail application of the petitioner on the same day.

Dismissed as withdrawn with the liberty aforesaid.

However, in case petitioner surrenders before the trial Court and file application seeking regular bail, the trial Court shall make an endeavour to decide the same preferably on the same day.

December 04, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No