

Sr. No.128

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

CRM-M-41369-2019(O&M)
Date of decision:01.10.2019

Rajeev Kumar

.....Petitioner

versus

Union of India and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Puneet Bali, Advocate Sr. Advocate with
Mr. Vibhav Jain, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for quashing/setting aside the Order dated 04.09.2019 (Annexure P-2) passed by the Sessions Court (Companies Act), Gurugram in Criminal Complaint No.03 of 2019 dated 18.05.2019 (Annexure P-1) filed against the petitioner.

Notice of motion.

On the asking of the Court, Shri Alok Kumar Jain, Sr.Panel Counsel with Mr. Hari Kishan, Advocate accepts notice on behalf of the UOI.

Learned counsel for the petitioner is directed to handover a copy of the petition to the counsel opposite.

Learned counsel for the respondent/complainant have objected to present petition, relying upon the Order dated 23.09.2019 passed by the Hon'ble Supreme Court in ***Writ Petition(s) (Criminal) No(s). 263/2019; Deepak Shrimali versus Union of India and others***, and has submitted that the petitioner may avail his remedy of bail or anticipatory bail, as was ordered by the Hon'ble Supreme Court in above said case.

In view of the above, learned counsel for the petitioner submits that he be permitted to withdraw the present petition with liberty to avail his remedy of anticipatory bail, as was permitted by the Hon'ble Supreme Court in the case of *Deepak Shrimali(supra)*.

Dismissed as withdrawn with liberty aforesaid.

Needless to say that if any application for anticipatory bail is filed by the petitioner, the same shall be considered on its own merits.

1st October, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*