

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

(Heard through VC)

CRM-M-37998-2020 (O&M)

Date of Decision: November 24, 2020

Devender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikas Bishnoi, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed seeking to challenge the order passed by the Addl. Sessions Judge, Hisar whereby, the application of the petitioner for default bail under Section 167(2) Cr.P.C. has been dismissed.

The instant petition has been filed invoking Section 439 Cr.P.C. read with Section 167(2) Cr.P.C. for grant of regular bail to the petitioner, which has been opposed by the counsel appearing on behalf of the respondent-State, while submitting that the petitioner ought to have filed a Criminal Revision Petition to challenge the impugned order and he cannot invoke Section 439 Cr.P.C. for grant of regular bail.

Faced with this, counsel for the petitioner seeks permission to withdraw the instant petition, with liberty to challenge the impugned order by filing a criminal revision petition.

Dismissed as withdrawn, with the aforesaid liberty.

November 24, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No