

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2752-2021 (O&M)
Date of Decision : 17.02.2021

Suresh Kumar ...Petitioner

Versus

State of HaryanaRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Sanjiv Gupta, Advocate for petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

Mr. Raman Chawla, Advocate for the complainant.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.405 dated 11.10.2020 registered under Sections 323, 325, 341, 506, 34 IPC, 1860 at Police Station Adampur, District Hisar.

2. Learned counsel contends that initially the case was registered under Sections 148, 149, 323, and 365 IPC but after obtaining medical report and opinion of the Doctor, Section 325 IPC was added and during investigation CD of the alleged incident was produced and allegations under Section 365 IPC were found false and in the circumstances, Sections 148, 149 and 365 IPC were given up and Section 341 and 34 IPC were added.

3. After arguing for some time, learned counsel for the petitioner prays for permission to withdraw the petition under Section

438 Cr.P.C. with liberty to the petitioner to surrender before the learned

trial Court, to move an application for grant of regular bail with directions being issued to the learned trial Court to consider and decide the petition for regular bail in accordance with law after taking into account all aspects of the matter as expeditiously as possible.

4. The same is not opposed by learned State counsel as well as counsel for the complainant.

5. Accordingly, without commenting upon the merits of the claim and in view of the statement of learned counsel for the petitioner, the petition under Section 438 Cr.P.C. is ***dismissed as withdrawn***, with the liberty as prayed for. In the eventuality of a petition for regular bail being filed, the same be considered and decided by the learned trial Court in accordance with law, after taking into account all aspects of the matter, as expeditiously as possible.

(B.S. Walia)
Judge

17.02.2021

'ps'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>