

CRM-M-15342-2021(O&M)
Date of Decision :17.08.2021

Sombir Singh ...Petitioner

Versus

State of Haryana and anotherRespondents

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

Present : Mr. Sushil K. Sharma, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the instant petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.23 dated 16.04.2003 registered under Section 379 IPC at Police Station Satnali, District Mahindergarh.

3. The petitioner was declared a proclaimed offender in case FIR No.23 dated 16.04.2003 registered under Section 379 IPC at Police Station Satnali, District Mahindergarh vide order dated 08.08.2011. The petitioner thereafter moved a petition under Section 438 Cr.P.C. on 18.03.2021 before the learned Addl. Sessions Judge, Narnaul, which was dismissed on the ground that he was not entitled to the concession of bail on account of having absconded from the Courts for the past 10 years.

4. In view of the petitioner having absconded from the process of law for a period of close to 10 years, no ground whatsoever is made

out for interfering with the order passed by the learned Addl. Sessions Judge, Narnaul.

5. Faced with the aforementioned position, learned counsel for the petitioner prays for permission to withdraw the instant petition with liberty to surrender before the learned trial Court and issuance of directions to the learned trial Court to decide the petition for regular bail in a time bound manner.

6. The same is not opposed to by learned State Counsel.

7. Accordingly, in the light of the position noted above, the instant petition is *dismissed as withdrawn* with the liberty, as prayed for.

8. In the eventuality of a petition for regular bail being filed before the learned trial Court, the learned trial Court is directed to consider and decided the same, in accordance with law, after taking into account all aspects of the matter.

9. Petition *disposed of* with the aforementioned directions.

(B.S. Walia)
Judge

17.08.2021

'Rajneesh'

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