

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

216

**CRM-M No.16791 of 2021
Date of Decision:16.08.2021**

Major Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Umesh Aggarwal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl.A.G.Punjab.

Mr.Amit Arora, Advocate for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail, in his second attempt, under Section 438 Cr.P.C in case bearing FIR No.101 dated 28.04.2019 registered under Sections 323/ 326/ 34 IPC at Police Station Lopoke District Amritsar.

Notice of motion was issued on 29.04.2021 by passing the following order:-

“The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that CRM-M No.38234 of 2019 was got dismissed as withdrawn as at that time status of the petitioner was that of proclaimed person. The order dated 07.09.2019, declaring the petitioner as proclaimed person was considered in CRM-M No.6191 of 2020 and the High Court vide order dated 31.03.2021 has quashed the said order. Petitioner seeks anticipatory bail in his second attempt in the present petition.

Notice of motion for 13.05.2021.

Let the nature of injury on the right arm and elbow of the injured/complainant be brought on record by the adjourned date.”

CRM-M No.6191 of 2020 was decided by the High Court on 31.03.2021. The relevant operative part of the order reads as under:-

“----- However, the petitioners are directed to surrender before the Court concerned within four weeks, subject to order for grant of anticipatory bail, if any passed on their petition to be filed under Section 438 of the Cr.P.C. On such surrender in the absence of any order for grant of anticipatory bail, the petitioners shall be liable to be arrested in the case and to be remanded to police/judicial custody, as the case may be, on application of the investigating officer subject to order for grant of regular bail to be passed by the concerned Court in accordance with law.

Needless to observe that in case any application is filed before the concerned Court for grant of regular bail, then the concerned Court shall

be bound to dispose of the same expeditiously and that nothing in this order shall be treated as expression of any opinion on merits so as to bind or influence the concerned Court in disposal of the same -----”

Perusal of the aforesaid order would show that the petitioner was directed to surrender before the concerned Court within four weeks subject to order for grant of anticipatory bail, if any passed.

The present petition was filed on 20.04.2021, but till date no interim order has been passed in favour of the petitioner.

After arguing this case for some time, learned counsel for the petitioner wishes to withdraw this petition at this stage.

Dismissed as withdrawn.

(RAJ MOHAN SINGH)
JUDGE

16.08.2021

Amandeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No