

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

**CRM-M-7195-2022 (O&M)
Date of Decision:04.03.2022**

HARJINDER SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amritpal Singh, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.28 dated 15.02.2017, registered under Sections 15/61/85 NDPS Act, at Police Station Lambi, District Sri Muktsar Sahib, who apprehends his arrest at the hands of Police.

During the course of hearing, it is not disputed that the petitioner, who was on regular bail, absented from trial proceedings, whereupon his bail was cancelled by the trial Court vide order dated 06.01.2022.

When confronted with the maintainability of the petition under Section 438 Cr.P.C., in view of the decision dated 04.04.2019 delivered by this Court in ***CRM-M No.15464 of 2019 (Balwant Singh @ Banta Versus State of Punjab)***, learned counsel for the petitioner prays for withdrawal of this petition in order to avail alternative remedy in accordance with law.

The prayer is allowed.

The petition is ordered to be dismissed as withdrawn.

04.03.2022

Jasmine Kaur

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned

Yes No

Whether reportable

Yes No