

CRM-28569-2022 in/and
CRM-M-6813-2022
Date of decision: 30.08.2022

NARINDER KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Arnav Kumar, Advocate for the applicant/petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

This is an application for withdrawal of the anticipatory bail application bearing CRM-M-6813-2022.

Learned counsel for the applicant/petitioner contends that at the earlier instance, the petitioner had already moved a petition under Section 438 Cr.P.C for grant of anticipatory bail bearing CRM-M-6626-2022. However, due to some miscommunication, the subsequent petition seeking same relief bearing CRM-M-6813-2022 has been instituted. Consequently, the request has been made for withdrawal of CRM-M-6813-2022.

It is significant to note that at the earlier instance, the petitioner had already moved a petition under Section 438 Cr.P.C and even interim relief was granted in terms of order dated 17.02.2022. In the subsequent petition, it has been categorically pleaded that no such or similar petition has been earlier instituted in this Court or Hon'ble Supreme Court of India. The said assertion is factually incorrect. The conduct of the parties in moving subsequent application by concealment of earlier petition cannot be appreciated.

In such circumstances, the petitioner is permitted to withdraw the

main petition bearing CRM-M-6813-2022, subject to payment of costs of Rs.10,000/- to be deposited with the Lawyers Welfare Fund, High Court, Chandigarh, within a period of ten days.

Dismissed as withdrawn.

30.08.2022
renubala

(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No