

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

101

CRM-M-12070-2022 (O&M)

Date of decision: 23.03.2022

Mehar DassPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Saurabh Sharma, Advocate for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Mr. Yashveer Kharb, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.125 dated 04.07.2019 under Section 376 of the Indian Penal Code, 1860 and Section 4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Sanoli, District Panipat.

After arguing for some time when this Court was not inclined to accept the prayer of the petitioner for extending the concession of anticipatory bail to him, learned counsel for the petitioner submitted that he would not press the instant petition and he be thus permitted to withdraw it. However, a prayer has been made that the petitioner would appear and surrender before the trial Court within one week and hence, he be protected till his appearance before the trial Court. It has also been submitted that the trial Court be directed to expeditiously decide his petition under Section 439 Cr.PC, which he would file on his surrender.

The instant petition is dismissed as withdrawn.

In view of the undertaking given, the petitioner shall

appear and surrender before the trial Court on or before 28.03.2022.
Till then, no coercive steps be taken against the petitioner.

It is made clear that in case, the petitioner fails to surrender before the trial Court within the above stipulated time, this order shall be of no avail to him. In case, on appearance and surrender, the petitioner moves an application under Section 439 Cr.PC before the trial Court, the same shall be decided expeditiously by the trial Court in accordance with law.

23.03.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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