

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16101-2022
Decided on : 27.04.2022

Malkito @ Lajwanti

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Ms. Manpreet Guman, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 364 dated 13.08.2021 under Sections 379-A and 201 of the Indian Penal Code, 1860 registered at Police Station Taraori, District Karnal.

The petitioner had filed an earlier petition for grant of regular bail in which the following order was passed:-

“CRM-4374-2022

This is an application filed under Section 482 of Cr.P.C. for preponement of the date of hearing in the main case from 21.03.2022 to an early date.

Notice in the application.

On advance notice, Mr. Manish Dadwal, AAG, Haryana, appears and accepts notice on behalf of the non-applicant/State of Haryana and has submitted that he has no objection in case the present application is allowed and the date of hearing in the main case is preponed from 21.03.2022 to today itself for final disposal.

In view of the aforesaid facts and no objection from the opposite side, the present application is allowed and the main petition is taken on Board today itself for final disposal.

Main case

Prayer in the present petition is for grant of regular bail to the petitioner in FIR No.364 dated 13.08.2021 registered under Sections 379-A, 201 of the Indian Penal Code, 1860 at Police Station Taraori, District Karnal.

Learned counsel for the State has pointed out that in the present case, even the complainant-Balbir Kaur and the victim-Meenu have not been examined till date. Learned counsel for the petitioner has submitted that the petitioner be permitted to withdraw the present petition with liberty to file fresh petition after the examination of said complainant-Balbir Kaur and the victim-Meenu.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

It is made clear that the second petition for regular bail, if any filed by the petitioner, would be considered independently on its merit in accordance with law.”

Learned counsel for the petitioner has pointed out that although, complainant Balbir Kaur has been examined but the victim-Meenu has not been examined as yet. In view of the same, she wishes to withdraw the present petition at this stage with liberty to file a fresh petition after the victim-Meenu has been examined.

In view of the statement made by learned counsel for the petitioner, present petition is dismissed as withdrawn at this stage with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

April 27th, 2022
Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No