

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17544-2022

Date of decision : 05.05.2022

Dushyant

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Manish Soni, Advocate
for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a second petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.1027 dated 28.05.2020 registered under Sections 148, 149, 302, 120B IPC and Sections 25(1-B)(a) and 27(1) of the Arms Act, at Police Station Shivaji Nagar, District Gurugram.

In the first petition for regular bail filed by the petitioner, on 21.09.2021, this Court was pleased to pass the following order :-

"This is the first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.1027 dated 28.05.2020, registered under Sections 148, 149, 302, 120-B IPC and Section 25(1-B)(a) & 27 (1) of Arms Act, at Police Station Shivaji Nagar, District Gurugram.

Learned State counsel, on instructions from ASI Mandeep, has pointed out that summons have been issued for 22.10.2021, for examining Ram Gopal, Kamla Devi and Shivani.

In view of the statement made by learned State counsel, learned counsel for the petitioner wishes to withdraw the present petition at this stage with liberty to file a fresh petition after the three material witnesses i.e., complainant, and wife as well as

daughter of the complainant are to be examined.

Accordingly, the present petition is dismissed as withdrawn at this stage with the aforesaid liberty.

It is, however, made clear that as and when the said bail application would be filed, the same would be considered independently.

(VIKAS BAHL)
JUDGE

September 21, 2021.”

Learned State counsel, on instructions from SI Duli Chand, has pointed out that neither Ram Gopal, nor Kamla Devi nor Shivani has been examined.

Learned counsel for the petitioner, in view of the above, seeks to withdraw the present petition, at this stage, with liberty to file a fresh petition after the said three witnesses have been examined.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn at this stage, with liberty aforesaid.

(VIKAS BAHL)
JUDGE

May 05, 2022
Davinder Kumar

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