

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

126)

CRM no.1735 of 2022 in/and
CRM-M-47766-2021
Date of Decision: 21.01.2022

Ram Kumar

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Chander Pal Tiwana, Advocate, for the applicant/petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

CRM no.1735 of 2022

Vide this petition, the petitioner in the accompanying petition seeks to withdraw the petition itself it being one seeking that he be admitted to bail in the context of FIR No.307, dated 29.08.2021, having been registered at Police Station Pehowa, District Kurukshetra, alleging therein the commission of offences punishable under the provisions of Sections 323/324/308/34 of the IPC.

On 07.12.2021, an order had been passed upon on an application seeking interim bail having been filed by the petitioner. The said order reads to the following effect:-

“Vide this application, the applicant-petitioner seeks interim bail to attend the marriage of his daughter which was/is to take place between 05.12.2021 and 11.12.2021.

Notice having been issued in the application on 03.12.2021, learned State counsel today, on instructions from SI

Balwant Singh, submits that the factum of the petitioners' daughter getting married on 11.12.2021, has been verified to be correct.

That being so, without making any comment on the actual merits of the case, the application is allowed to the extent that the applicant/petitioner be released on bail immediately upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate concerned, for a period of 10 days from the date of his release, with him thereafter to surrender to the jail authorities on the evening of the 10th day.

To determine whether the petitioner has surrendered on time to the jail authorities or not, the case file be put up on 22.12.2021.”

Upon query to learned counsel for the petitioner as to whether has actually surrendered thereafter, he submits that he has, though learned State counsel submits he has no instructions, in that regard.

Be that as it may, this being simply an application seeking withdrawal of the petition itself notice is issued, with Mr. Neeraj Poswal, AAG, Haryana, accepting notice in the application and obviously not opposing the prayer made.

Consequently, the application is allowed.

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Dismissed as withdrawn, with it made absolutely clear that if the petitioner has not surrendered before the jail authorities in terms of the order dated 07.12.2021, that order obviously stood extinguished within 10 days from the date of his release and consequently he would be taken into custody (if he has not surrendered).

January 21, 2022

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes
Whether reportable: No