

134 CRM-M-52278 of 2021 (O&M)

Manish Kumar v. State of Punjab

Present: Mr. Amit Arora, Advocate,
for the applicant-petitioner.

Case heard via video conferencing.

CRM-570 of 2022

Vide this application, the petitioner in the accompanying petition seeks to withdraw the petition itself, it being one by which he seeks to be admitted to bail under the provisions of Section 438 of the Cr.P.C. upon FIR no.26, dated 31.01.2018, having been registered at Police Station City Tarn Taran, alleging therein the commission of offences punishable under Sections 307, 452, 323, 427, 379-B, 506, 148 and 149 of the IPC (with Section 120-B of the IPC added later).

Learned counsel for the petitioner submits that the petitioner is seeking to withdraw this petition because as per a recent judgment of the Supreme Court in **Manish Jain v. Haryana State Pollution Control Board, SLP (Criminal) No.5385 of 2020, decided on 20.11.2020**, only a petition under Section 482 of the Cr.P.C. would be maintainable for seeking quashing of the order of the trial court by which the earlier order passed by that court admitting an accused to bail has been recalled/cancelled etc.

Without making any comment on what has been contended today since this is an application seeking withdrawal of this petition simpliciter, notice is issued in the application, with Mr. Rana Harjasdeep Singh, learned DAG, Punjab, accepting notice at the asking of the court. Obviously he does

not oppose it.

The application is allowed.

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Dismissed as withdrawn.

January 19, 2022
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(AMOL RATTAN SINGH)
JUDGE