

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-807-2023 (O&M)
Date of decision : 10.01.2023

Rakesh Kumar @ Labhu Ram

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. H.S. Batth, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

As noticed yesterday i.e. 09.01.2023, the petitioner's bail was cancelled as he did not appear before the trial Court on 23.12.2022 resulting in filing of the present petition for grant of anticipatory bail.

Learned counsel for the petitioner has produced a copy of the judgment of the Supreme Court in **Manish Jain Vs. Haryana State Pollution Control Board 2020 (20) SCC 123** passed in **SLP (Crl.) No.5385 of 2020**, wherein, it has been held that in such circumstances, a petition for grant of anticipatory bail is not maintainable, however, the petitioner therein was granted liberty to surrender before the trial Court and seek regular bail and the trial Court was directed to decide it on the same day. It is, thus, prayed that a similar relief may be granted to the petitioner also.

In view of the submission made, the petition is disposed of with a direction to the petitioner to surrender before the trial Court on the next date of hearing i.e. 12.01.2023 and seek regular bail which shall be decided by the trial Court on the same day.

(SUDHIR MITTAL)
JUDGE

10.01.2023

Ramandeep Singh