

Rakesh Kumar @ Kalu

...Petitioner

versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**Present:** Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)

This is a second petition under Section 439 Cr.P.C. seeking regular bail in FIR No.445 dated 19.08.2022 (Annexure P-1) under Section 21(b)/27-A/61/85 of NDPS Act, 1985 registered at Police Station City Fatehabad, District Fatehabad.

In para No.15 of the petition it has been averred that petitioner is involved in another FIR No.122 dated 15.03.2017 under Sections 419/420/406/471/168/120-B IPC, 1860, registered at Police Station Kotwali, District Faridabad and the petitioner is already on bail in that case. There is no case of NDPS Act pending or decided against the present petitioner.

However, learned State counsel has filed the custody certificate wherein apart from FIR No.122 dated 15.03.2017 under Sections 419/420/406/471/168/120-B IPC, 1860, registered at Police Station Kotwali, District Faridabad, reference of another FIR No.100 dated 06.03.2022 under Sections 21-B/61/85 NDPS, registered at Police Station Sadar Fatehabad, Fatehabad, has been made.

Faced with this situation, counsel for the petitioner wishes to

withdraw the present petition with liberty to file a fresh one on the same cause of action with better particulars at an appropriate stage.

Dismissed as withdrawn at this stage.

21.02.2023
Parveen kumar

(NAMIT KUMAR)
JUDGE

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