

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210-1)

CRM-M-53100-2021

Date of decision:- 13.07.2023

Swaraj Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. P.K.S.Phoolka, Advocate for the petitioner.

Mr. Arun Luthra, DAG, Punjab for State-respondent.

Mr. Nirmaljeet Singh Sidhu, Advocate for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 439(2) of the Code of Criminal Procedure, 1973 seeking cancellation of anticipatory bail to respondent No.2, which has been granted by Additional Sessions Judge, Bathinda vide order dated 13.01.2021, Annexure P-2, in:-

FIR No.	Dated	Police Station	Sections
237	25.12.2020	Nathana, Bathinda, District Bathinda	406, 420, 506 and 120-B, IPC

2. Heard counsel for the parties.

3. Section 439 (2) of the Code of Criminal Procedure, 1973 provides thus:-

“A High Court or Court of Session may direct that any person who has been released on bail under this Chapter be arrested and commit him to custody.”

4. As per the provisions reproduced above, petitioner has a remedy before the Sessions Court, which has passed the order granting anticipatory bail to the accused-respondent No.2.

5. Faced with the observations of the Court, counsel for the petitioner seeks and is granted permission to withdraw the petition with liberty to approach the competent Court.

6. Disposed of with liberty as aforesaid.

13.07.2023

Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No