

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17445-2023

Date of Decision: 13.04.2023

JAGJIT SINGH BRAICH @ JAGJIT SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Chandeep Singh, Advocate for the petitioner
Mr.Arun Luthra, Deputy Advocate General, Punjab

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.17 dated 21.01.2021 registered under Sections 420, 406 IPC at Police Station Samrala, District Khanna.

The petitioner was declared as proclaimed person on 29.10.2021 which order was challenged by him before this Court through CRM-M-8900-2023 – *Jagjit Singh Braich @ Jagjit Singh vs. State of Punjab*. Such petition was disposed of on 20.02.2023 and the operative part of such order reads as under:-

“Keeping in view the facts and circumstances of the case and the fact that the petitioner is ready to join the proceedings by coming India after 15.03.2023 as has been undertaken by his counsel, the order dated 29.10.2021 is set aside and the present petition is disposed of with a direction that in case the petitioner arrives in India within a month after 15.03.2023 i.e. till 15.04.2023 and appears before the court concerned

within a period of 10 days of his arrival, then he would have protection from arrest for a period of 10 days from the date of his arrival subject to payment of costs of Rs.25,000/- to be paid with the Poor Patients' Welfare Fund, PGIMER, Chandigarh within a period of 7 days from the date of his landing in India.

In case, the petitioner appears before the Court concerned within 10 days of his arrival as stated above and files an appropriate application alongwith the receipt of payment of costs, then the Court concerned would decide the same expeditiously within a period of 3 days from the date of its filing.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court.”

The petitioner has not surrendered in terms of the above quoted order.

When only on account of the petitioner's afore conduct this Court was disinclined to interfere, learned counsel for the petitioner seeks to withdraw the present petition to enable the petitioner to avail of any remedy that the petitioner may have in accordance with law.

Dismissed as withdrawn with liberty as prayed for.

13.04.2023

gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No