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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-50320-2023
Date of decision: 05.10.2023

Manik Dawar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate and
Mr. B.N.S. Marok, Advocate for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent No.1-State.

VIKAS BAHL, J. (ORAL)

1. This is a petition filed under Section 438 Cr.P.C. for the issuance of directions to the Arresting Officer to release the petitioners on bail in the event of their arrest in case FIR No.41 dated 14.09.2023 registered under Sections 294, 323, 34, 377, 406, 498-A, 506 of Indian Penal Code, 1860 at Police Station Women Cell, District Sonipat.

2. A perusal of the file would show that the petitioners have not approached the Sessions Court to seek the concession of anticipatory bail.

3. Learned Senior Counsel for the petitioners, in view of the same, has prayed that the petitioners be permitted to withdraw the present petition with liberty to file anticipatory bail application at the first instance before

the Sessions Court and the petitioners be granted liberty to raise all the pleas which have been raised in the present petition and are available to them in law, before the Sessions Court.

4. In view of the same, the present petition is dismissed as withdrawn with liberty to the petitioners to file anticipatory bail application before the Sessions Court and to raise all the pleas which have been raised in the present petition and are available to them in law before the Sessions Court.

5. It is made clear that this Court has not opined on the merits of the case and the withdrawal of the present petition should not come in the way of the petitioners to agitate all the points on merits before the Sessions Court and the Court, before whom the petition for anticipatory bail is filed, would consider all the said pleas and decide the same on merits independently, in accordance with law.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

05.10.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No