

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52052-2023
DECIDED ON: 20.10.2023

ISHA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rekhnash Rampal Sharma, Advocate for
Mr. R.D. Yadav, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 182, dated 31.08.2022, under Sections 307, 387, 506, 120-B and 34 IPC and Section 25 of the Arms Act, registered at Police Station Rozka Meo, District Nuh.

The instant petition has come up for hearing before this Court, wherein in the head-note, it is claimed to be the first petition under Section 439 Cr.P.C.

Para 9 of the petition is relevant, which reads as under:-

“9. That no such or similar petition has earlier been filed by the petitioner either in this Hon'ble Court or in the Hon'ble Supreme Court of India and nor is pending in the learned Sessions Court or in any other competent Court of law having the jurisdiction.”

However, Registry has put up a note that earlier a petition was filed by the petitioner bearing CRM-M-7959-2023, under Section 439 Cr.P.C., which was

Withdrawn by the petitioner on 26.04.2023 but the said fact has not been disclosed

while filing the instant petition.

At this stage, Mr. R.D. Yadav, Advocate prays for withdrawal of the instant petition stating that the aforesaid error has occurred due to oversight and is not deliberate or intentional.

Prayer is accepted.

Dismissed as withdrawn.

20.10.2023

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>