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

CRM-M-61044-2022 (O&M)

Date of Decision: 20.02.2023

BHAGAT SINGH @ RINKU

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Abhilaskh Grover, Advocate
for the petitioner.

Mr. Ram Kumar Singla, DAG, Haryana.

Mr. R.K. Choudhary, Advocate for the complainant.

HARSH BUNGER, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.670 dated 19.07.2022 (Annexure P-1) registered under Sections 302 and 365 read with Section 34 IPC, 1860 at Police Station Camp Palwal, District Palwal.

Learned State counsel as well as learned counsel appearing for the complainant, while referring to Annexure P-4 of the petition, has submitted that the petitioner has not availed remedy before the Court of Additional Sessions Judge, Palwal as the bail application filed before the said Court was withdrawn on 06.12.2022. Learned counsel further submitted that the petitioner is required to avail his remedy before the Sessions Judge seeking regular bail.

On the other hand learned counsel for the petitioner has submitted that since the father of the deceased is an Advocate at District

Court Palwal, no counsel is ready to appear on behalf of the petitioner before the said Court and neither they allow any counsel to represent the petitioner. Accordingly, the petition was filed before this Court.

The abovesaid contention of learned counsel for the petitioner has been refuted by counsel appearing for the complainant by submitting that the apprehensions of the petitioner are without any basis, however, he is ready to make a statement that the complainant or the father of the deceased do not have any objection nor they shall raise any objection if any counsel at District Court, Palwal appears on behalf of the petitioner to represent him.

In view of the aforesaid statement, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to approach the trial Court at the first instance for seeking regular bail.

Dismissed as withdrawn with the liberty aforesaid.

20.02.2023

Amandeep

**(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No