

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15538-2024

Date of Decision: 01.04.2024

Rajinder Kumar & another ...Petitioners

Versus

State of Haryana & another ...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S.Sawhney, Advocate, for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

Today, at the very outset, learned counsel submits that the petitioners may be permitted to withdraw the instant petition with liberty to file afresh in case the legal position is settled in favour of the petitioners by Hon'ble the Apex Court regarding an accused not to be prosecuted in respect of offence under Sections 406, 420 IPC in case such accused already stands convicted under Section 138 of the Negotiable Instruments Act in respect of the same cheque, as it amounts of double jeopardy.

In view of the aforesaid submission, the petition is dismissed as withdrawn with liberty as prayed for.

Since it has been informed that nonailable warrants have been issued against the petitioners, it shall be open to the petitioners to surrender before the trial Court and to move an application for grant of regular bail. In case, the petitioners surrender before the trial Court

within 10 days from today and move an application for grant of regular bail, the trial Court shall endeavour to dispose of the same expeditiously having regard to all the relevant facts & circumstances.

01.04.2024

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**