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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16055-2024
Date of decision: 03.04.2024

Gori Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a second petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.165 dated 15.11.2022 registered under Sections 15(c), 61, 85 of the NDPS Act, at Police Station Nehianwala, District Bathinda.
2. The petitioner had filed an anticipatory bail application i.e. CRM-M-58565-2022 in which the following order was passed:-

“This is the first petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR no.165 dated 15.11.2022 registered under Sections 15(c)/ 61/ 85 of the Narcotic Drugs and Psychotropic Substances Act 1985 at Police Station Nehianwala, Bathinda, District Bathinda.

Learned counsel for the petitioner, after arguing for some time, seeks to withdraw the present petition and states that the petitioner is ready to surrender before the police

within a period of 10 days and prays that in case the petitioner applies for regular bail after surrender, the same be decided as expeditiously as possible, preferably within a period of 5 days.

Learned State counsel has opposed the bail application, however, does not object to the said course of action.

Keeping in view the above said statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn, with a direction to the petitioner to surrender before the police within a period of 10 days and in case after surrendering, the petitioner files an application for regular bail, the trial Court is directed to decide the same expeditiously, preferably within a period of 5 days from the date of the said application being moved.”

3. After passing of the abovesaid order, the petitioner has not surrendered and a perusal of the petition would show that he has been declared as proclaimed offender. The said order has neither been annexed nor has been challenged in the present petition.
4. Learned counsel for the petitioner seeks permission of this Court to withdraw the present petition.
5. In view of the above, the present petition is dismissed as withdrawn.

03.04.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No