

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

207

.CRM-M-54853-2023 (O&M)

Date of decision:-04.01.2024

Radhey Shyam

... Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Arnav Ghai, Advocate
Ms. Kashish Sahni, Advocate for the petitioner.

Mr. Vikrant Pamboo, Senior DAG, Haryana.

ANOOP CHITKARA, J. (ORAL)

The instant petition has been filed under Section 438 of Cr.P.C. for grant of bail in anticipation of arrest in case FIR No. 0024 dated 09.10.2023, registered under Sections 7, 13, (1)(b), 13(2) of the Prevention of Corruption Act, 1988, at Police Station ACB, Faridabad, District Anti Corruption Bureau, Haryana.

2. Petitioner's counsel submits that there is a specific stand of the State about the petitioner's presence out side the car in which the complainant was allegedly counting the currency notes, which allegedly was bribe money. Petitioner's counsel submits that given this specific stand, he be permitted to withdraw the present petition with liberty to file a fresh bail petition enabling him to explain his explicit stand qua his presence at the spot. Petitioner's counsel

submits that the interim order be continued (at least for 15 days) to enable him to file a fresh petition and further that the withdrawal of the present petition as well as order passed by this Court should not come in the way in any manner whatsoever.

3. There is no reason for the State to oppose this present prayer.

4. The prayer is genuine.

5. Given above, the present petition is disposed of as withdrawn with liberty to file fresh petition under Section 438 of Cr.P.C. It is clarified that in case the petitioner files a fresh petition, observation made by this Court in the previous order shall come in the way of the petitioner. Interim order dated 03.11.2023 to continue till 15.01.2024 or till the first hearing of fresh bail petition, if filed, whichever is earlier and shall eclipse thereafter automatically. Pending application, if any, stands disposed of.

04.01.2024
pooja saini

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No