

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M No.62500 of 2023
Date of decision: 29.02.2024

VIKAS @ VICKY

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr, Ashok Kumar Khunger, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

The petitioner is seeking regular bail by filing instant petition under Section 439 of Cr.P.C. in case arising out of FIR No.88 dated 08.08.2023 initially registered under Section 376 of IPC (offence under the provisions of SC/ST Act were added subsequently) at Police Station Bahav Wala, District Fazilka.

Status report has already been filed. The same be tagged at appropriate place.

Since the application for regular bail as already been filed by the petitioner before learned Additional Sessions Judge, Fast Track Special Court, stands dismissed and as the provisions of SC & ST Act have been invoked in this case, therefore, the appropriate remedy before the petitioner is to file appeal against the order of learned Sessions Judge, Fast Track Special Court.

Faced with this situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file an appeal and has also requested that the period which has been taken in between i.e. from

the filing of the instant petition till date may not be taken into consideration at the time of filing of the appeal.

Permitted to do so.

The petition is dismissed as withdrawn with the aforesaid liberty by clarifying that the period which has been taken during the period of pendency of this petition, will not be considered for the purpose of counting the limitation.

29.02.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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