



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

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CRM-M-23094-2025 (O&M)
Date of decision : 05.05.2025

Basheer Mohammad and anotherPetitioners

V/S

State of PunjabRespondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. R.K. Arya, Advocate for the petitioners.

Mr. Adhiraj Singh, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioners have filed the instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of anticipatory bail in case FIR No.18 dated 23.03.2024 registered under Sections 363 & 366-A of Indian Penal Code, 1860 (Sections 376 of IPC, 70(1) of Bharatiya Nyaya Sanhita, 2023 and Section 6 of Protection of Children from Sexual Offence Act, 2012 were added later on) at Police Station Sadar Raikot, District Ludhiana.

2. Learned State counsel, on instructions from ASI Jagdev Singh, submits that petitioner No.2-Mohd. Roshan is already on regular bail and therefore, the instant petition qua him is not maintainable in view of the law laid down by Hon'ble Supreme Court in ***Special Leave to Appeal (Crl.) No.5385 of 2020 titled as 'Manish Jain Vs. Haryana State Pollution Control Board' decided on 20.11.2020.***

3. Faced with this situation, learned counsel for the petitioners wishes to withdraw the present petition with liberty to avail other legal



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remedies in accordance with law qua petitioner No.2 and to file fresh petition on the same cause of action qua petitioner No.1.

4. Dismissed as withdrawn with liberty aforesaid.

05.05.2025
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No