

C482 No. 2653 of 2019

Hon'ble Alok Singh, J.

Mr. Aditya Pratap Singh, Advocate for the petitioner.

Mr. P.S. Uniyal, Brief Holder for the State.

Having argued for some times, learned counsel for the petitioner seeks permission to withdraw this petition with liberty to raise all the legal and factual points before the trial Magistrate, at the time of framing charge seeking discharge. He further submits that petitioner shall surrender / appear before the trial Magistrate on or before 09.12.2019 in compliance of summoning order dated 23.10.2019 and shall move an application seeking regular bail therefrom. Therefore, learned Magistrate be directed to decide the bail application, if possible, on the same day or soon thereafter.

Permitted to be withdrawn with aforesaid liberty. However, it is directed that petitioner shall surrender / appear before the trial Magistrate on or before 09.12.2019 in compliance of summoning order dated 23.10.2019 and in the event of moving bail application, the same shall be decided, at its own merits, if possible on the same day or soon thereafter. It is further clarified that if petitioner fails to appear before the learned trial Magistrate till 09.12.2019, then learned Magistrate shall be at liberty to proceed against the petitioner, in accordance with law.

Let a copy of this order be forwarded to the Magistrate concerned immediately for information.

(Alok Singh, J.)
29.11.2019

