IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(213) **CRM-M-20100-2015**
Decided on: August 24, 2015.

Baljeet

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Amaninder Singh Sekhon, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner as member of unlawful assembly had allegedly attacked deceased Mahesh.

Learned counsel for the petitioner has vehemently contended that there are serious contradictions which prima facie indicate the false involvement of the petitioner. He has argued that there are many improvements made by the witnesses which falsify the story of the prosecution. He has further argued that original version indicates that there was only one vehicle but in order to involve other accused, it has been subsequently shown that there were two vehicles in which the accused had arrived. It is also submitted that the petitioner has been falsely involved in the case by showing false recovery of Scorpio vehicle and a danda from the petitioner.

I have considered all the facts and circumstances of the case.

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On the instructions from ASI Kuldeep Singh, learned State counsel informs that out of 20 prosecution witnesses, 19 witnesses have already been examined and next date of hearing before the trial Court is 21.09.2015.

Since the case is at penultimate stage, it will not be appropriate for this Court to enter into the niceties of the trial to determine the culpability of the petitioner, lest it should prejudice the rights of the prosecution agency or the accused.

Counsel for the petitioner at this stage submits that the petitioner may be permitted to withdraw the petition at this stage with liberty to raise all the pleas before the trial Court to seek acquittal.

Disposed of as withdrawn with liberty to the petitioner to raise all the pleas before the trial Court at opportune time.

(M.M.S. BEDI)
JUDGE

August 24, 2015
harsha

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