

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

CRM M-5037 of 2015

Date of Decision : March 18, 2015

Surjit Singh @ Tota

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Mr. Ashok Giri Advocate

Mr. Vikram Bishnoi, Asstt. A.G., Punjab

T.P.S. MANN, J.(Oral)

This is the third petition filed by the petitioner for the grant of regular bail, the first two having been dismissed on 22.7.2014 and 1.10.2014.

On the last date of hearing, this Court had directed the Senior Superintendent of Police, Kapurthala to remain present in the Court in order to explain as to why the prosecution had not been able to examine any of its witnesses despite the fact that the petitioner was in custody for the last more than one year and five months, Sh.Ashish Choudhary, Senior Superintendent of Police, Kapurthala has come present. He has placed on record his affidavit wherein it is mentioned that after assuming the office as Senior Superintendent of Police on 23.1.2015, he passed an office order dated 12.2.2015 appointing the Deputy Superintendent of Police (D), Kapurthala as

Nodal Officer to co-ordinate with the trial Courts through their respective Niab Courts and to ensure the presence of official witnesses without any delay. The Deputy Superintendent of Police (D) was also directed to ensure that no delay was caused in the adjudication of the cases by the trial Courts on account of non-appearance of the official witnesses. It has also been stated in the affidavit that the prosecution evidence was closed on 9.3.2015 and the case is now pending before the trial Court for 28.3.2015 for examination of the accused under Section 313 Cr.P.C.

The aforementioned factual position has not been disputed by learned counsel for the petitioner. Accordingly, he states that he may be allowed to withdraw the petition.

Dismissed as withdrawn.

(T.P.S. MANN)
JUDGE

March 18, 2015
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