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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.45797 of 2017 (O&M)
Date of Decision: 01.12.2017

Ram Mehar and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Joginder Singh Duhan, Advocate,
for the petitioners.

SUDIP AHLUWALIA, J. (ORAL)

Notice of motion.

2. On the asking of the Court, Mr. Karan Sharma, A.A.G., Haryana, accepts notice on behalf of the respondent-State. An advance copy of the paper-book is already supplied to him by Ld. Counsel for the petitioners.

3. It is contended, *inter alia*, that the petitioners were already on regular bail in the concerned criminal trial arising out of F.I.R. No.09, dated 08.01.2008, under Sections 148/149/452/323/506/427/332/353/395 of the Indian Penal Code, and Sections 3 and 4 of S.C. and S.T. Act, registered at Police Station Narnaund. Their prayer for exemption from personal

appearance on 27.10.2017 was, however, rejected by the Ld. Trial Judge and warrants of arrest were ordered to be issued against them, although examination and cross-examination of the prosecution witnesses present that day was still conducted as other accused persons in the case were actually present.

4. Ld. Counsel for the petitioners undertakes that if the present petitioners are restored to bail, they shall not seek recall of the prosecution witnesses examined on 27.10.2017 for any additional cross-examination on their behalf, and shall also not seek exemption henceforth.

5. In view of the aforesaid submission and considering the other entire background of the matter, the present petition is allowed. The petitioners are permitted to be released on fresh bail in the event of their surrendering before the Ld. Trial Court within a week from the date of communication of this order.

01.12.2017*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No