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

CRM-M-11018 of 2019 (O&M)

Date of decision: September 18, 2019

Harvinder Singh @ Raju

.....Petitioner

Versus

State of Punjab

.....Applicant-Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Arora, Advocate
for the non-applicant-petitioner.

Mr. H.S. Multani, AAG Punjab
for the applicant-respondent-State.

MAHABIR SINGH SINDHU, J

CRM No.22827 of 2019

This is an application under Section 482 of Code of Criminal Procedure, 1973 for recalling of order dated 10.07.2019 upto the extent that costs of ₹1 lakh was imposed upon the State of Punjab.

Notice of the application.

Mr. Sandeep Arora, Advocate who is present in Court accepts notice on behalf of the non-applicant-petitioner.

It is contended by learned State counsel that as a matter of fact, on the date of passing of order dated 10.07.2019, entire prosecution evidence was already over, i.e. on 05.07.2019, thus, a wrong contention was raised on behalf of the petitioner and that resulted into imposition of costs of ₹1 lakh.

The above factual position is duly acknowledged by learned

counsel for non-applicant-petitioner, but submitted that statement was made inadvertently.

In view of stand taken by both sides, the order dated 10.07.2019, to the extent of imposing costs of ₹1 lakh, is modified and it is clarified that the State of Punjab is not under an obligation to pay the costs of ₹1 lakh to the non-applicant-petitioner.

Application stands disposed off, accordingly.

Main case

It has been pointed out by the learned counsel for the petitioner that as on today, petitioner already stands convicted, thus, the present petition has been rendered infructuous.

Ordered accordingly.

(MAHABIR SINGH SINDHU)
JUDGE

September 18, 2019
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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No