

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

238)

Crl. Misc. No.M-45383 of 2019

Date of Decision: 25.11.2019

Hari Ram and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. J.P. Sharma, Advocate, for the petitioners.
Mr. Navdeep Singh, AAG, Haryana

Amol Rattan Singh, J. (Oral)

On November 01, 2019, the following order had been passed:-

“Though learned counsel for the petitioner has pointed to the order of this Court dated 24.09.2019 (copy Annexure P-5), granting bail to a coaccused of the petitioner, i.e. Sanjay, upon him having filed CRM-M-39964- 2019, on the ground that the said accused was in custody since March 21, 2019, with the eye witnesses not having identified him during the testimony, learned State counsel has produced in Court today a video recording of what is stated to be the incident in question, where the persons in the video clip are shown to be carrying rifles and are victimizing some persons.

Counsel for the petitioner on the other hand submits that there being “no complainant” and with the alleged victim having turned hostile in Court, there would be no reason to keep the petitioners in custody, especially with a co-accused having admitted to bail.

Having considered that contention, obviously, the aforesaid video recording was not brought to the notice of this Court earlier, which has duly been pointed out today by learned State counsel, with him also having stated that upon the video 'having gone viral', in fact a complaint had been lodged at the instance of Sub-Inspector Jagdish Chand of Police Station Nangal Chaudhary, District Mahendergarh.

That being so, simply to determine as to whether the petitioners are the persons shown in the video recording, a gazetted officer is directed to file an affidavit stating as to whether it is the present

petitioners, i.e. Hari Ram, Rajesh @ Khatri and Virender, who are the persons seen in the said video clip, also stating as to which of them were carrying fire arms.

Adjourned to 25.11.2019.

The affidavit to be filed shall also give the history of any other criminal cases registered against the petitioners, along with the 'result' of such cases.

A copy of this order be given to learned State counsel under the signatures of the Bench Secretary of this Court.”

Today, learned counsel for the petitioners requests for the matter to be taken out of turn, with him submitting that the petitioners may be allowed to withdraw the present petition.

Dismissed as withdrawn.

(AMOL RATTAN SINGH)
JUDGE

25.11.2019

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Whether reasoned/speaking: Yes
Whether reportable: No