

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

106+237

CRM-M-45234 of 2019 (O&M)

Date of decision:8.11.2019

Krishan

... Petitioner

versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sarfraj Hussain, Advocate,
for the petitioner
Mr.Surender Singh, AAG, Haryana
...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order dated 29.10.2019, an affidavit of Shri Rajesh Kumar, Deputy Commissioner of Police, Manesar, has been filed in Court today by learned State counsel, stating therein that ASI Harjit Singh has been placed under suspension and a regular departmental enquiry has been initiated against him for failing to properly assist the Court as well as the learned Assistant Advocate General on the last date of hearing, this Court having observed that he did not even know as to whether the material witnesses in the trial against the petitioner and his co-accused had been declared to be hostile or not.

It has been further stated in the affidavit that during the course of trial, 7 PWs have been examined out of 29, and out of 7 material witnesses, the daughter-in-law of the deceased, the son of the deceased, the wife of the deceased and 3 other witnesses have turned hostile.

The affidavit is ordered to be taken on record.

However, upon this court not being agreeable to admit the petitioner to bail as yet, and having directed that the number of material witnesses still to be examined be informed to this court, especially keeping in view the fact that earlier also he is stated to have been involved in criminal proceedings with him having been acquitted after witnesses turned hostile, learned counsel for the petitioner seeks to withdraw the petition.

Dismissed as withdrawn, with it made clear that nothing observed hereinabove shall be taken to be an observation on the merits of the case for or against the petitioner, but only in the context of this petition seeking that the petitioner be admitted to bail, in term of Section 439 of the Cr.P.C.

8.11.2019
pk/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No