

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

211

CRM-M-30111-2020 (O&M)

Date of decision: 02.11.2020

RAJBHUPINDER SINGH @ SEWAK

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vinod Ghai, Senior Advocate with
Ms. Kanika Ahuja, Advocate
for the applicant-petitioner.

Mr. N.K. Banka, DAG, Punjab
for the respondent-State.

Mr. Navkiran Singh, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

CRM-25321-2020

Prayer in the application is for placing on record Additional Annexures in the main case CRM-M-30111-2020.

For the reasons mentioned in the application, the same is allowed and Annexures P-9 and P-10 are taken on record.

CRM-M-30111-2020

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of Regular Bail in case FIR No. 33 dated 20.04.2017 registered under Sections 148, 302, 307, 427 read with Section 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959 and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Jhunir, District Mansa.

After arguing for some time, learned Counsel for the

petitioner has submitted that the petitioner does not want to continue with the present petition and the same may be dismissed as withdrawn at this stage.

Dismissed as withdrawn at this stage.

However, in view of the observations made by Hon'ble Supreme Court in *Doongar Singh Vs. State of Rajasthan 2018 (1) RCR Criminal 256; State of U.P. Vs. Shambhu Nath Singh and others, 2001 (2) R.C.R. (Criminal) 390; Hussain and another Vs. Union of India 2017(2) RCR Criminal 312* and *Thana Singh Vs. Central Bureau of Narcotics 2013(1) R.C.R(Criminal) 861*, the trial Court is directed to expedite the disposal of the case after easing out the restrictions imposed to prevent the spread of Covid-19 by conducting trial on day to day basis by allocating block of dates for the trial as directed by Hon'ble Supreme Court and by issuing coercive process for securing presence of the witnesses.

In case of non-appearance of prosecution witnesses, the trial Court shall take appropriate action against the concerned prosecution witnesses absenting without any lawful excuse by filing complaint under Section 174 of the Indian Penal Code, 1860 or taking proceedings under Section 350 of the Code of Criminal Procedure, 1973 against them.

A copy of this order be sent to the trial Court concerned for requisite compliance.

02.11.2020
vishal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No