

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

106

CRM-M-33019 of 2020

Date of decision:9.11.2020

Neera Passi

... Petitioner

versus

State of Punjab and another

... Respondents

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

Present: Mr.V.K.Kataria, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks issuance of a direction to decide the application dated 18.18.7.2020 (Annexure P-2), pending in the court of Shri J.S.Sanghe, Additional Sessions Judge, Amritsar, for cancellation of bail granted to respondent no.2.

On 16.10.2020, the following order was passed:-

“Case has been taken up for hearing through Video Conferencing.

Before proceeding further in the instant matter, let status report regarding CRM No.705 of 2020 titled “State Vs. Sukhdev Singh, in FIR No.101 dated 25.06.2019 under Sections 120-B, 302 and 427 IPC and Sections 25 and 27 of Arms Act, Police Station Kamboj, District Amritsar (Rural),

application moved under Section 439(2) Cr.P.C. from Court concerned be called for 09.11.2020.”

No status report has been received, either from the Sessions Court, Amritsar, or from the State of Punjab.

However, Mr.Kataria, learned counsel for the petitioner, submits that as a matter of fact on 16.10.2020 itself, after this court had passed the aforesaid order, the learned Additional Sessions Judge, Amritsar, dismissed the application before him seeking cancellation of the bail of respondent no.2, at 4.30 pm.

He submits that the said order has been challenged by the petitioner before this court by way of CRM-M-34561 of 2020, which is to now come up for hearing on 9.12.2020.

Though at the time when this case was being heard, this court had actually adjourned this matter also, to be heard alongwith that petition on 9.12.2020, but subsequently Mr.Kataria has been asked to come back to court because there would be no reason to keep this petition pending once the order passed by the Sessions court, seeking cancellation of the bail, has already been challenged.

Obviously if the manner of passing of that order is also in question, that would be an argument available to the petitioner even in that petition.

Consequently, the prayer in the present petition being issuance of a direction to decide the application of the petitioner dated 18.7.2020, by which he sought cancellation of the bail granted to respondent no.2, that prayer has in fact been rendered infructuous and consequently this petition

is disposed of as such.

However, in view of the averment made by learned counsel for the petitioner, a copy of this order be placed on the case file of CRM-M-34561 of 2020.

9.11.2020
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No