

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

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**CRR-184-2021(O&M)
Decided on : 10.11.2021**

AZAD SINGH

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS

... Respondent(s)

CRR-479-2021(O&M)

STATE OF HARYANA

... Petitioner(s)

Versus

SUMITRA AND ANR

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Kartar Singh Malik, Advocate
for the petitioner.

Mr. Anmol Malik, DAG Haryana.

Mr. Tanu Bedi, Advocate
for respondent No.2 and 3.

MANJARI NEHRU KAUL, J. (Oral)

This common order shall dispose of the above-mentioned two revision petitions.

The petitioner has impugned the order dated 01.02.2021 passed by Additional Sessions Judge, Sonipat vide which the application under Section 311 CrPC for additional evidence for examination of PW-8/Constable Bhupender has been dismissed.

The learned counsel submits that PW-8/Constable Bhupender Singh was inadvertently given up during trial by the prosecution even though he was a material witness as he had procured the CCTV footage from the camera installed in the building, where the occurrence in question took place. It has been submitted that the prosecution would just take one day to examine the aforementioned witness and hence it would in no way hamper or delay the proceedings before the trial Court.

Heard

The interim order dated 01.02.2021 is set aside and the instant petition is disposed of with the directions to the Court concerned to record the evidence of PW-8/Constable Bhupender Singh, as prayed for. However, it is made clear that the prosecution shall ensure that the evidence of PW8/Constable Bhupender Singh is recorded and concluded within two days. In case, the prosecution fails to examine the aforementioned witness ,as directed hereinabove, the trial Court shall proceed and conclude the trial expeditiously without affording any further opportunity.

Disposed of.

**(MANJARI NEHRU KAUL)
JUDGE**

November 10, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>