

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

105-2

**CRM-M-26052-2020
Date of decision : 02.03.2021**

Irfan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana
for the respondent-State with
ASI Satya Prakash, Investigating Officer and
Inspector Yashwant, SHO.

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioner has filed present 2nd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.61 dated 21.03.2019 registered under Sections 201, 394, 395 and 427 of the Indian Penal Code, 1860 in Police Station Industrial, Section-7, IMT Manesar, Gurugram.

His First application for grant of regular bail was dismissed as withdrawn vide order dated 08.01.2020 passed by this Court in CRM-M-54840-2019.

After arguing for some time, learned Counsel for the petitioner submits that the petitioner does not want to continue with the present petition and the same may be dismissed as withdrawn at this stage.

Dismissed as withdrawn at this stage.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 trial and record prosecution evidence preferably within a period of four months 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 any of the prosecution witnesses, the trial Court shall take appropriate action against the concerned witness absents without any lawful excuse by filing complaint under Section 174 of the Indian Penal Code, 1860 or taking proceedings under Section 350 of the Cr.P.C. against him.

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

02.03.2021

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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