

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(245)

CRM-M-1195-2022

Date of Decision : January 18, 2022

Monu and another

.. Petitioners

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shivansh Malik, Advocate, for the petitioners.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners submits that though the present petition has been filed for the grant of regular bail but as the complainant is yet to be examined, the petitioners do not wish to press the present petition for the grant of regular bail.

Learned counsel for the petitioners further submits that as the challan has already been presented after the investigation, the complainant be examined at the earliest so that the petitioners can again try their luck for the grant of regular bail keeping in view the facts and circumstances of this case.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana,

who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State raises no objection in case, the complainant is examined as the first witness as early as possible.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the only prayer pressed in this petition is for directing the trial Court to examine the complainant as the first witness, to which the State counsel has no objection, the present petition is disposed of with a direction to the trial Court that the complainant be examined as the first witness. The parties have informed that the next date fixed before the trial Court is 07.03.2022. Let the report submitted by the Investigating Agency be taken up for consideration on the said date as to whether any charges are to be framed or not.

The trial Court is directed that within a period of eight weeks of the next date of hearing, in case the charges are framed against the accused on the basis of challan submitted by the Investigating Agency, the complainant be examined by following due process of law.

January 18, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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