

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17375-2022 (O&M)
Date of Decision:- 07.7.2022

Rahul Manda ... Petitioner

Versus

State of U.T. Chandigarh ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.D.S.Hooda, Advocate, for the petitioner.

Mr. Abhinav Gupta, Addl. PP, U.T. Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

Learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to file afresh after statements of some more PWs are recorded.

In view of the aforesaid request, the present petition is dismissed as withdrawn with liberty aforesaid.

However, keeping in view the fact that as on date only 8 out of 34 PWs have been examined, this Court deems it appropriate to issue the following directions:

- (i) The trial Court shall frame a schedule of dates in advance for summoning the witnesses and shall also endeavour to record the statements of the PWs whose presence is duly secured. Special Messengers be deputed for securing the

presence of the PWs. If deemed necessary, a letter may be written to the Senior Superintendent of Police, concerned, for getting the needful done for ensuring timely presence of PWs.

- (ii) The prosecution is directed to ensure the presence of all the PWs before the trial Court on the dates as may be fixed by the trial Court for recording prosecution evidence. The District Attorney concerned to take necessary steps for the purpose of securing the presence of the remaining PWs.

07.7.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No