

255 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24219-2019
Date of Decision: 25.08.2022

RAKESH KUMAR ... PETITIONER
VS.
STATE OF PUNJAB AND ANR .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : None for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner has assailed the order dated 29.04.2019 passed by the Court of Additional Sessions Judge, Bathinda vide which application under Section 311 Cr.P.C. for recalling of PW-1 has been dismissed in the case bearing FIR NO. 233 dated 20.11.2017 registered at Police Station Civil Lines, Bathinda.

Learned State counsel, on instructions from ASI Amrit Pal Singh, submits that the petitioner has been acquitted by the trial Court in terms of judgment dated 17.01.2020 passed by the Court of learned Additional Sessions Judge, Bathinda and the present petition has become infructuous.

In view of the categorical assertion made by learned State counsel, the present petition is dismissed as having been rendered infructuous.

However, none has appeared on behalf of the petitioner. He shall be at liberty to move an application for revival of the petition within a period of three months, if the aforesaid assertion of learned State counsel is found to be factually incorrect.

25.08.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No