

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

CRM-M-29916-2022 (O&M)
Date of Decision:- 29.11.2022

Harish

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parveen Kaushik, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Savita.

GURVINDER SINGH GILL, J. (Oral)

CRM-24016-2022

In view of the reasons mentioned in the application, the same is
allowed as prayed for.

Main case

After arguing at length and upon finding that this Court is not
agreeing with the contentions raised before this Court, learned counsel for
the petitioner submits that he may be permitted to withdraw the instant
petition at this stage.

In view of the aforesaid request, the present petition is
dismissed as withdrawn at this stage.

However, keeping in view the fact that as on date only 13 out of 36 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.

29.11.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No