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

**CRM-M-49710-2021
Date of Decision: 11.01.2022**

DAVENDER KUMAR @ MONA

....Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

Learned counsel for the petitioner has submitted that in the present case the complainant has been examined and he has turned hostile.

On a specific query being put to the learned counsel for the petitioner that vide Annexure P-9 the petitioner had earlier also filed a bail application before this Court which was dismissed as withdrawn on 15.07.2021 and he had withdrawn the petition only on the ground that the material prosecution witnesses have not been examined as yet. Learned counsel was put a query as to how the present petition was maintainable, in case, the material witnesses have not been examined as yet.

At this stage, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana on instructions from SI Krishan Kumar has

submitted that some material witnesses are yet to be examined including the persons from whom the sleeping pills were purchased and, therefore, the present petition is not maintainable as there is no change of circumstances.

In view of the aforesaid position, the present petition is hereby dismissed.

11.01.2022
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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