

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19016-2023 (O&M)
Date of Decision : 11.10.2023

RameshPetitioner

VERSUS

State of HaryanaRespondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Lalit Singla, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

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VIKAS BAHL, J. (Oral)

1. This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.0757, dated 09.11.2020, registered under Sections 302, 201, 34, 452, 120-B of the Indian Penal Code, 1860 at Police Station Sonipat City, District Sonipat (Annexure P-3) (Section 452 IPC was removed at the time of framing of the charges).
2. Learned counsel for the State has submitted that as per her instructions, in the present case, only two witnesses are left to be examined and the State would make every endeavour to examine the remaining witnesses on the date fixed before the Trial Court, i.e. 20.11.2023 or any date immediately thereafter.
3. In view of the statement made by the learned State counsel, learned counsel for the petitioner seeks permission to withdraw the present petition, at this stage with liberty to the petitioner to file a fresh regular bail

petition in case the prosecution witnesses are not examined on or before 11.12.2023.

4. Keeping in view the above facts and circumstances, the petitioner is permitted to withdraw the present petition, at this stage with the following observations:-

(i) The State is directed to produce remaining witnesses on 20.11.2023, which is the next date of hearing in the case before the Trial Court;

(ii) The Trial Court is directed to examine the witnesses produced by the State on 20.11.2023 or immediately thereafter by giving short dates;

(iii) Counsel for the accused in the Trial Court is requested to assist the Court in the expeditious examination of the remaining witnesses.

(iv) Liberty is granted to the petitioner to file a fresh petition for grant of regular bail in case the prosecution evidence is not concluded on or before 11.12.2023. In case any such application is filed the same would be considered independently after considering the pleas of the parties.

5. All the pending miscellaneous applications, if any, also stand disposed off.

October 11, 2023
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(VIKAS BAHL)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO