



2023:PHHC: 151268

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

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CRM-49436-2023 in/&
CRA-S-2744-2023 (O&M)
Date of decision: 29.11.2023

Ankit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Ms. Poonam Rani, Advocate for
Mr. Siddarth, Advocate for the appellant-applicant.

VIKAS SURI, J. (Oral)

CRM-49436-2023

This is an application under Section 482 Cr.P.C. for withdrawal of the main case with liberty to file a petition for regular bail before learned Special Court.

Notice of the application.

Mr. Gurbir S. Dhillon, AAG, Haryana, accepts notice on behalf of respondent-State.

Learned counsel for the appellant-applicant submits that vide order dated 16.09.2023, the regular bail application filed under Section 439 Cr.P.C. was dismissed by the special Court, which has been challenged before this Court in appeal bearing No. CRA-S-2744-2023. As noticed in the order dated 03.10.2023, time had been sought to implead the complainant as a party.



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Learned counsel for the appellant-applicant while referring to the provisions of Section 15A(3) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, submits that it transpires that the aforesaid provision has not been followed in letter and spirit before the Special Court and hence, the present application.

Learned State counsel does not dispute the aforesaid and thus, pleads no objection to the instant application being accepted and the limited prayer sought therein being granted.

In light of the above, the present application is allowed. On the oral prayer of learned counsel for the appellant-applicant, the hearing of the main case is preponed from 11.01.2024 to today. With the consent of learned counsel for the parties, the main case is taken on board for hearing.

CRM stands disposed of.

CRA-S-2744-2023

Dismissed as withdrawn with liberty aforesaid.

November 29, 2023
sumit.k

(VIKAS SURI)
JUDGE

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