

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

111

Criminal Revision No.9 of 2023

Date of decision :-04.09.2023

Ankit

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- None for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

NIDHI GUPTA J. (Oral)

Prayer in the present petition is for setting aside the impugned order dated 17.11.2022, passed by the Additional Sessions Judge, Panipat, whereby the petitioner's application under Section 311 Cr.P.C. for recalling the prosecution witnesses No.1 to 3 for further cross-examination was dismissed.

Learned State counsel, on 24.8.2023, on instructions from ASI Rohtash had informed the Court that the present petition has been rendered infructuous as the petitioner has been acquitted by learned Additional Sessions Judge, Panipat, vide judgment dated 02.02.2023. As there was no representation on behalf of petitioner on 24.8.2023, the matter, in the interest of justice was adjourned for today i.e. 04.09.2023 and the Registry was directed to inform learned counsel for the petitioner about the date fixed.

Office report shows that in compliance of the said order, learned counsel for the petitioner has been informed telephonically. However, despite that, there is no representation on behalf of petitioner today itself. Even on 18.5.2023 petitioner was unrepresented.

Learned State counsel has produced the copy of judgment dated 02.03.2023 (in the last order dated 24.8.2023, the date of the judgment was inadvertently mentioned as 02.02.2023), passed by learned Additional Sessions Judge/Fast Track Court (POCSO), Panipat, vide which the petitioner herein has been acquitted. The same is taken on record as Mark-A. Learned counsel submits that in view of the aforesaid development, the present petition has been rendered infructuous and the same may be disposed of as such.

Ordered accordingly.

Pending application(s), if any, stands disposed of.

September 04, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No