

ITEM NO.24 Court 4 (Video Conferencing) SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5163/2020

(Arising out of impugned final judgment and order dated 17-12-2019 in CRM-M No. 46888/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

HEMANT BANSAL

Petitioner(s)

VERSUS

THE STATE OF HARYANA & ORS.

Respondent(s)

(IA No.107881/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Vikash Deep Jain, Adv.
 Ms. Nidhi Jain, Adv.
 Ms. Priyanka Dubey, Adv.
 Mr. Pramod Tiwari, Adv.
 Dr. Vinod Kumar Tewari, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The grievance of the petitioner is that *ex parte* order (in absence of the petitioner) came to be passed by the High Court on account of incorrect statement made by learned counsel appearing for the petitioner and supported by counsel representing prosecution. According to him, the statement as recorded is incorrect.

It will be open to the petitioner to approach the High Court for recall of the order which was passed *ex parte* in his absence, though the petitioner was made respondent No.5 in the Petition and more particularly, for disposing of the Petition on the basis of incorrect statement made by the petitioner (in petition under Section 482 of Criminal Procedure Code) and the police official.

All contentions available to the petitioner are left open, to be considered by the High Court in accordance with law.

The Special Leave Petition is disposed of accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)