

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

CRIMINAL APPEAL NO(s). 175 OF 2006

AMAR NATH

Appellant (s)

VERSUS

STATE OF HARYANA

Respondent(s)

(With appln(s) for stay and office report)

Date: 07/06/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE SWATANTER KUMAR
[VACATION BENCH]

For Appellant(s) Mr. S.K. Sabharwal,Adv.(Not present)

For Respondent(s) Mr. Kamal Mohan Gupta,Adv.(Not present)

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

This Appeal has been preferred against the impugned judgment and order dated 24th October, 2002 passed by the High Court of Punjab & Haryana at Chandigarh in Criminal Misc. No.5238-M of 2001 rejecting the 482 Cr.P.C. petition filed by the present appellant for quashing the order under Section 319 Cr.P.C. in case arising out of FIR No.285 dated 17.10.1989, P.S. City Dabwali, Sirsa summoning the accused-appellant.

This Court vide order dated 13th October, 2003 stayed the operation of that order, meaning thereby the summoning order had been stayed and the appellant must be enjoying the privilege of stay order granted by this Court about eight years ago.

None present on behalf of the appellant to prosecute this appeal. Being a criminal appeal, we are not willing to
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dismiss it in default. Learned counsel appearing for the State of Haryana also did not consider it appropriate to remain present in the Court when the appeal was called for hearing.

In such a fact situation, the interim order passed by this Court on 13th October, 2003 granting the interim stay stands vacated.

Let a copy of this order be sent to the concerned trial Court, i.e. Sub Divisional Judicial Magistrate, Dabwali, Sirsa forthwith for information and action accordingly.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master