

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)... 2009
CRLMP.NO(s). 18535/2009

VINAY Petitioner(s)

VERSUS

STATE OF HARYANA Respondent(s)

(Office Report on default)

Date: 13/12/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SWATANTER KUMAR
(IN CHAMBERS)

For Petitioner(s) Mr. Rajesh Tyagi, Adv.
Mr. Atishi Dipankar, Adv.

For Respondent(s)

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

Learned Counsel appearing for the petitioner submits that he has no instructions whether the petitioner has surrendered or not. It may be noticed here that the same Counsel had made a statement before the Judge in Chamber on 5th February, 2010 stating that the petitioner had already surrendered and proof of surrender will be filed within three weeks. Such practice needs to be depitated. However, facts as they appear from the record are that vide order dated 6th November, 2009, the application for exemption from surrender was rejected and petitioner was granted eight weeks' time to file proof of surrender. Vide order dated 5th February, 2010 petitioner was granted three weeks' time to file proof of surrender. This time was extended by another four weeks vide order dated 13th August, 2010. Despite that the petitioner has neither

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surrendered till date nor filed proof thereof. Accordingly keeping in view the statement now made by the learned counsel appearing for the petitioner and the conduct of the petitioner, this petition is dismissed for non-surrender/non-prosecution.

The Superintendent of Police of concerned District as well as the Station House Officer of the concerned area is hereby directed to arrest the petitioner and hand over him to the Competent Authority so that he can undergo the remaining part of the sentence.

Registry to take action accordingly.

(Rajni Mukhi)
P.A.

(Veena Khera)
Court Master