

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-28227-2014 (O & M)
Date of decision:23.04.2015

Harjinder Singh

...Petitioner

Versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. D.S. Matya, Advocate,
for Mr. Kapil Aggarwal, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajan Gupta, J. (oral)

Pursuant to order dated September 04, 2014, passed by this court, comments of District & Sessions Judge, Panchkula have been received. Operative part thereof is reproduced below:-

“As mentioned above, it is nowhere mentioned either in Section 382 Cr.P.C. or in Volume III, Chapter 25, Part A that an appeal against the conviction can be filed without the signature of the appellant-accused even if he is in custody as only concession given to such a accused is that he can present the appeal through the counsel after filing an authority as per the Form given in Appendix II, Chapter 25, Part A. However, keeping in view the procedural difficulties as pointed out by appellant-accused, if deemed fit, in future, such appeals will be entertained, if presented by a counsel and signed by him on behalf of the appellant-accused along with a power of attorney on the usual vakalatnama in order to avoid difficulties to such persons.”

In view of above, learned counsel submit that no further adjudication of the matter is necessary.

The petition is accordingly disposed of.

(RAJAN GUPTA)
JUDGE

23.04.2015
sukhpreet