

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

Criminal Misc. No. M-36532 of 2015

Date of Decision:-11.02.2016

Raman Kanta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

- 1. Whether reporters of local newspapers may be allowed to see judgment?*
- 2. To be referred to reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Present:- Mr. Gurcharan Dass, Advocate
for the petitioner.

Mr. P.S. Madahar, Assistant Advocate General, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of order dated 5.10.2015 passed by learned Additional Sessions Judge, Patiala in Session Case No.10 dated 22.4.2015 in FIR No.20 dated 19.1.2015, under Section 302 read with Section 34 IPC and Section 27 of the Arms Act, registered at Police Station Sadar, Patiala. Prayer has also been made for issuance of direction to learned Additional Sessions Judge, Patiala to decide the application moved under Section 319 Cr.P.C.

Learned State counsel on instructions from HC Harjinder Singh has informed this Court that the persons mentioned in the application under Section 319 Cr.P.C., namely, Shamsher Kaur and Pal Kaur were found innocent during investigation as no substantial evidence has come against them.

Learned counsel for the petitioner while referring the impugned order dated 5.10.2015 submits that there is no impediment for the learned Additional Sessions Judge to decide the application filed by the petitioner under Section 319 Cr.P.C. and statement of one and the last official witness is not required to be recorded.

Merely for the reason that statement of one of the witness has not been recorded, is no ground to defer the decision on the said application.

Accordingly, the present petition is disposed of and the learned Appellate Court is directed to expedite the decision on the application filed by the petitioner under Section 319 Cr.P.C.

February 11, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE