

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40604 of 2016
Date of Decision: 15.11.2016

Kirpal Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Naveen Chadha, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of the impugned order dated 14.09.2016 (Annexure P-1) passed by learned JMIC, Nakodar, whereby the application of the petitioner/applicant for dispensing with the recording of the statement of petitioner under Section 313 Cr.P.C. personally and for allowing the petitioner to get record her statement through her counsel has been dismissed.

Learned counsel for the petitioner submits that case was fixed for 14.09.2016 before the trial Court for recording the statement of the petitioner under Section 313 Cr.P.C. A perusal of Annexure P-2 to P-3 shows that present petitioner is residing in London and suffering from some orthopedic disease and she has been advised to continue to rest for a period of three months and not to undertake any travel or return to work until she has been seen by the doctor. Her personal exemption before the trial Court has been exempted vide order dated 13.09.2012 passed in CRM-M-27270 of

the present case on 10.08.2016.

Keeping in view the above, this petition is disposed of by giving directions to to the trial Court to record the statement of the petitioner under Section 313 Cr.P.C. by way of an affidavit through her counsel in compliance of the order dated 13.09.2012.

(RITU BAHRI)
JUDGE

15.11.2016
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>