

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-32484 of 2017

Date of Decision: 04.09.2017

Satyapal Tyagi

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Ms. Savita Rana, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. is against order dated 1.3.2017, passed by the learned Judicial Magistrate Ist Class, Karnal, whereby personal appearance of respondents No. 2 to 6 was exempted in case FIR No. 867 dated 30.8.2013, registered under Sections 406, 420 & 120-B IPC at Police Station Karnal City and order dated 21.4.2017, passed by the learned Additional Sessions Judge, Karnal, whereby revision petition was also dismissed.

Learned counsel for the petitioner contended that respondents No. 2 to 6 are involved in so many cases and there was no ground for granting them exemption from their personal appearance in the Court. On enquiry, learned counsel for the petitioner fairly contended that main prosecution witnesses in the case have already been examined.

In view of the above facts, there is no ground for interference in

to respondents No.2 to 6 from their personal appearance in the Court at the trial stage. However, it would be seen by the learned trial Court to secure personal appearance of the accused at the time of recording of statements of accused under Section 313 Cr.P.C. on subsequent date. But at this stage, no ground is made out to interfere in the discretion, lawfully exercised by the learned trial Court while granting exemption to respondents No.2 to 6 from their personal appearance in the Court. Thus, the present petition has no merit and the same stands dismissed.

(Shekher Dhawan)
Judge

September 04, 2017
“DK”

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No