

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-8780 of 2015

Date of Decision: 27.3.2017

Kapil and another

---Petitioners

versus

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Rakesh Nagpal, Advocate
for the petitioners
Ms. Dimple Jain, AAG, Haryana
Mr. Raj Kapoor Malik, Advocate
for respondent No.2

Rekha Mittal, J.

Counsel for the State and the complainant would submit that entire evidence of the prosecution except one witness has already been examined and the case is fixed for 2.5.2017.

Counsel for the petitioners would submit that the petitioners are the jeth and jethani of the complainant and they have nothing to do with marital affairs of the complainant and her husband.

Taking into consideration that the trial has reached the stage of conclusion of evidence of the prosecution, I do not think it to be a fit case to examine merits of the petition in exercise of jurisdiction under Section 482 of the Code of Criminal Procedure.

In view of the above, the petition stands disposed of but without prejudice to rights of the petitioners to raise all available pleas before the trial court. However, personal appearance of the petitioners shall remain exempted except on the date/dates when their personal appearance is

required for progress in the proceedings. The petitioners shall ensure that they are represented through a counsel and exemption from personal appearance does not cause delay in conclusion of the proceedings.

(Rekha Mittal)
Judge

27.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No