

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

1. CRR No.603 of 2017 (O&M)

Jagtar Singh Multani Petitioner

Versus

State of U.T. Chandigarh and another Respondents

2. CRR No.607 of 2017 (O&M)

Jagtar Singh Multani Petitioner

Versus

State of U.T. Chandigarh and another Respondents

3. CRR No.615 of 2017 (O&M)

Jagtar Singh Multani Petitioner

Versus

State of U.T. Chandigarh and another Respondents

4. CRR No.1636 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

5. CRR No.1677 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

6. CRR No.1681 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

7. CRR No.1699 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

8. CRR No.1703 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

9. CRR No.1732 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

10. CRR No.1733 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

11. CRR No.1739 of 2017 (O&M)

Anil Kumar Petitioner

Versus

State of U.T. Chandigarh and another Respondents

12. CRR No.2261 of 2017 (O&M)

Ram Sanjeevan Mishra Petitioner

Versus

M/s. Satin Credit Care Network Ltd. and another Respondents

13. CRR No.2262 of 2017 (O&M)

Adesh Kumar Petitioner

Versus

M/s. Satin Credit Care Network Ltd. and another Respondents

14. CRR No.2308 of 2017 (O&M)
Date of decision: November 28, 2017

Ram Sanjeevan Mishra Petitioner

Versus

M/s. Satin Credit Care Network Ltd. and another Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.D.S. Sukhija, Advocate for the petitioner(s)
in CRR Nos.603, 607 and 615 of 2017.

Mr. Sudhir Sharma, Advocate for the petitioner(s)
in CRR Nos.1636, 1677, 1681, 1699, 1703,
1732, 1733 and 1739 of 2017.

Mr. Subhash Kumar, Advocate for the petitioner(s)
in CRR Nos.2261, 2262 and 2308 of 2017.

Mr. Sukant Gupta, Addl. PP, UT, Chandigarh.

Mr. Arvind Kashyap and Mr. Sudesh Sahi, Advocates
for respondent No.1 in CRR Nos.603, 607, 615, 1636, 1677,
1681, 1699, 1703, 1732, 1733 and 1739 of 2017.
for respondent No.2 in CRR Nos.2261, 2308 and 2262 of 2017.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

CRM-19996-2017 in CRR-2261-2017

CRM-20004-2017 in CRR-2262-2017

CRM-20454-2017 in CRR-2308-2017

For the reasons mentioned in the applications, delay in filing
the respective revision petitions is condoned, subject to all just exception.

Applications stand disposed of.

Main case

This order of mine shall dispose of 14 revision petitions bearing CRR Nos.603, 607, 615, 1636, 1677, 1681, 1699, 1703, 1732, 1733, 1739, 2261, 2262 and 2308 of 2017, involving the same issues.

The learned Addl. Sessions Judge, Chandigarh, while dealing with the appeal against acquittal filed by respondent-M/s. Satin Credit Care Network Ltd., remanded the case(s) to the learned trial court for recording the statement of the accused under Section 313 Cr.P.C. afresh and then proceed with the matter.

After going through the impugned judgment dated 30.01.2017 passed by learned Addl. Sessions Judge, Chandigarh, I am of the view that the learned Addl. Sessions Judge, Chandigarh has rightly taken the view that the statement under Section 313 Cr.P.C. has not been properly recorded as the story put forward by the prosecution was not properly put to the accused. Therefore, the learned Addl. Sessions Judge, while exercising the powers under Section 386 Cr.P.C., remanded the case for a fresh decision after recording the statement of accused under Section 313 Cr.P.C.

I am of the view that the learned Addl. Sessions Judge, Chandigarh, after appreciating the controversy has passed the impugned judgment dated 30.01.2017. Therefore, there is no illegality or infirmity in the same. The trial court is to record the statement of the accused under Section 313 Cr.P.C. afresh and put each and every incriminating evidence separately to each of the accused and then after giving opportunity to lead the defence evidence, pass a fresh judgment/order.

Thus, there is no ground to interfere in the impugned judgment dated 30.01.2017 passed by the learned Addl. Sessions Judge, Chandigarh.

However, the trial court is directed to conclude the trial within six months.

In view of the aforesaid, all the aforesaid 14 revision petitions are dismissed.

(KULDIP SINGH)
JUDGE

November 28, 2017
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No