

CRM-M-45675 of 2016

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

CRM-M-45675 of 2016

Date of Decision :22.01.2018

Pardeep @ Kaliya & another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Manoj Tanwar, Advocate
for the petitioners.

Mr. Ashok Muthreja, DAG, Haryana.

Ms. Sheenu Sura, Advocate for complainant.

RAJ SHEKHAR ATTRI, J. (Oral)

This is a petition under Section 482 Cr.P.C for quashing of the order dated 03.12.2016 (Annexure P-2) passed by Additional Session Judge, Narnaul vide which application of the petitioner for not recording the statement of Jai Bhagwan was dismissed on the ground that his statement u/s 161 Cr.P.C was not recorded.

I have heard the Ld. Counsel for the parties, Section 296 provides that the evidence of any person whose evidence is of a formal character may be given by affidavit and may, subject to all just exceptions, be read in evidence in any inquiry, trial or other proceeding under this Code.

The Court may, if it thinks fit, and shall, on the application of the prosecution or the accused, summon and examine any such person as to

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Section 295 provides that when any application is made to any Court in the course of any inquiry, trial or other proceeding under this Code, and allegations are made therein respecting any public servant, the applicant may give evidence of the facts alleged in the application by affidavit, and the Court may, if it thinks fit, order that evidence relating to such facts be so given. No ground is made out to quash the impugned order.

Dismissed.

January 22, 2018
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(RAJ SHEKHAR ATTRI)
JUDGE

/	Whether speaking/reasoned	-	Yes/No
	Whether reportable	-	Yes/No/