

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

**CRM-M No.46077 of 2017 (O&M)
Date of Decision: 20.04.2018**

Pawan Kumar Verma and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aditya Sanghi, Advocate for the petitioners.

Mr. A.S.Dhaliwal, Deputy Advocate General, Punjab
for respondent No.1/State assisted by ASI Sukhwant Singh.

Mr. Sukant Gupta, Additional Public Prosecutor, UT, Chd.
for respondent No.2 assisted by S.I. Krishan Kumar.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for issuance of appropriate directions to learned Trial Courts in the State of Punjab, to secure the presence of the petitioners as well as to proceed with the trial of the petitioners in various FIRs registered in the State of Punjab using video-conferencing/electronic video linkage as there are more than 70 FIRs in the States of Punjab, Haryana, Rajasthan and Himachal Pradesh etc. and thus there are practical difficulties to appear before each and every trial Court.

Short reply by way of affidavit dated 20.04.2018 of Sh. Piara Singh, PPS, DSP, State Crime, SAS Nagar on behalf of respondent No.1/State of Punjab has been filed. The same is taken on record. Copy supplied to the opposite side.

Perusal of paragraph 1 of the affidavit clearly reveals that the State of Punjab has no objection if the trial of the petitioners in 23 criminal cases, registered against them in the State of Punjab, be conducted through Video-Conferencing facility or other any electronic mode as per law.

In view of above, the prayer of the petitioners has virtually been acceded by the State of Punjab and consequently, no further directions are required in this matter.

In view of the categoric stand taken by State of Punjab in the above affidavit, State of Punjab shall be bound by the assertions made therein.

It is the apprehension of the petitioners that learned trial Court(s) may not conclude the trial by way of video-conferencing/electronic mode by interpreting the law in some different manner. Although, it is only an apprehension, but still it is clarified that whatever is permissible under the law shall be followed by the learned trial Court(s) for video-conferencing/other electronic mode.

Mr. Sukant Gupta, APP, U.T. Chandigarh has apprised this Court on instructions from S.I. Krishan Kumar, Economic Offence Wing, Chandigarh Police that there was only one FIR registered against the petitioners, but Untraced Report was submitted on 12.06.2014 and as such, no further directions are required to be issued to the U.T. Chandigarh.

It has also been pointed out by learned Counsel for the petitioners that as on today, the petitioners have been lodged in Central Jail, Alwar and there is a video-conferencing facility available and the Jail Authorities may also be directed to proceed through video conferencing. In

case, such a facility is available in Alwar Jail and there is no legal hitch for the Jail Authorities at Alwar to proceed further in the manner, indicated above, the request of the petitioners shall be considered sympathetically and as per law.

Disposed off accordingly.

April 20, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>