

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1745-2019 (O&M)
Date of Decision:-16.1.2019

Vijay Kumar and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Karmanjot Kaur, Advocate for
Mr. Rajesh Kapila, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

Having heard the learned counsel for the petitioners, the petition is disposed of with a direction to trial Court not to insist upon the presence of the petitioners while adjudicating upon an application under Section 319 Cr.P.C., since the persons sought to be summoned to face trial with the aid of Section 319 Cr.P.C. are not required to be heard before passing any order in terms of Section 319 Cr.P.C. The impugned order dated 21.11.2018 passed by learned Additional Chief Judicial Magistrate, Tarn Taran, as such, is modified to the extent that notice of the application under Section 319 Cr.P.C. is not required to be issued/served upon the petitioners Vijay Kumar and Rajnish Aggarwal.

The petition stands disposed of with aforesaid clarification.

16.1.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No