

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

CRM-M-25465-2019 (O&M)
Date of Decision:-14.8.2019

Suman Rani ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

None for the State.

Respondent No.3 Ms. Darshani Devi is present in person.

Respondent No.5 Sh. Anchal Singh is present in person.

Mr. Ravinder Kumar, husband of respondent No.6,
Poonam Ghaso is present in person.

Sub Inspector Karambir, Police Station Civil Lines, Karnal,
is present in person.

GURVINDER SINGH GILL, J.(Oral)

The petitioner Suman Rani complainant has approached this Court seeking setting aside of order dated 11.4.2019 passed by learned Additional Sessions Judge, Karnal, whereby an application filed by the prosecution under Section 311 Cr.P.C. seeking permission to lead additional evidence and to examine a nodal officer of Vodafone, Tata DOCOMO and

BSNL so as to prove the location chart, customer application form etc. has been dismissed.

There is no representation on behalf of the petitioner. However, respondent No.3 Ms. Darshani Devi, respondent No.5 Sh. Anchal Singh and Mr. Ravinder Kumar, husband of respondent No.6 Poonam Ghaso are present in person. Sub Inspector Karambir, Police Station Civil Lines, Karnal, is also present in person alongwith police file.

Since the private respondents/accused i.e. respondent No.3 Ms. Darshani Devi, respondent No.5 Sh. Anchal Singh as well as Mr. Ravinder Kumar, husband of respondent No.6 Poonam Ghaso have categorically stated before this Court that the accused have no objection for setting aside of the impugned order, the petition is accepted and the impugned order dated 11.4.2019 passed by learned Additional Sessions Judge, Karnal is hereby set aside.

The prosecution would be at liberty to lead the additional evidence as prayed for in their application dated 5.2.2019 (Annexure P-1) filed under Section 311 Cr.P.C. It is, however, clarified that it will solely be the responsibility of the prosecution to ensure the presence of the witnesses. Since it has been informed that the prosecution evidence has otherwise been concluded and infact the statements of the accused under Section 313 Cr.P.C. have also been recorded, therefore, the trial Court is directed to make extensive efforts so as to ensure that the trial is concluded expeditiously preferably within a period of two months from today. The prosecution shall take all the necessary steps for securing the presence of the witnesses concerned.

A copy of this order be sent to Superintendent of Police concerned who shall ensure that the presence of the witnesses is duly secured on the dates fixed by the trial Court.

The petition stands accepted in the aforementioned terms.

14.8.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

