

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7142-2020

DATE OF DECISION: FEBRUARY 17, 2020

INDERJEET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. G.S. HAYER, ADVOCATE FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed under Section 482 Cr.P.C. for exemption from personal appearance in case titled as State vs. Kartar Kaur arising out of FIR No.43 dated 6.4.2010 under Section 406, 420, 120-B, IPC, Police Station City South Moga, pending in the Court of Judicial Magistrate 1st Class, Moga.

During the course of hearing, learned counsel for the petitioner submits that his application for permission to go abroad is pending before the trial Court and is fixed for 13.3.2020 for filing reply on behalf of the State. He submits that the petitioner was granted leave by his employer till 20.2.2020 and therefore, he has to reach Canada before the said date. It is not disputed that no application for preponement of the said application was moved before the Judicial Magistrate 1st Class, Moga, where the application is pending.

In view of the above, the present petition seeking exemption from personal appearance before the trial Court is not maintainable. At this stage, learned counsel for the petitioner states that the petitioner would

make the necessary application for preponement of the date of hearing in his pending application for permission to go abroad.

In case, any such application is moved, the same be decided by the trial Court/CJM/Illaqa Magistrate, considering the urgency of the petitioner-accused.

Disposed off.

February 17, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No