

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

**CWP-PIL No.8246 of 2018
Date of Decision :06.02.2020**

Antar (NGO for prison reforms) and another

.....Petitioners

Versus

High Court of Punjab & Haryana, Chandigarh and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Pankaj Bhardwaj, Advocate for the petitioners.

Mr. Sharad Aggarwal, AAG, Haryana.

Mr. Sahil Sharma, DAG, Punjab.

Mr. Rajiv Sharma, Additional Public Prosecutor
for U.T. Chandigarh.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

This petition has been filed by the petitioner praying for following reliefs:-

- (b) Issue a writ in the nature of Mandamus, directing the respondents to Sensitize/Educate the Litigants/encourage them to take recourse to the newly inserted provisions in the Criminal Procedure Code, 1973 under Chapter XXI-A Sections 265-A to 265-L providing for Plea Bargaining;
- (c) Issue any other Writ, Order or Direction, which this Hon'ble Court deems fit and necessary, in the facts and circumstances of the present case, may also kindly be passed;

As far as the issue for sensitizing/educating the Judicial Officers and others involved in the functioning of criminal justice system after the

insertion of the provisions relating to Plea Bargaining in the year 2006 is concerned, regular training programme is being conducted by the Judicial Academy and therefore, no further directions in this regard are necessary. As far as sensitizing the Advocates and litigants are concerned, the provisions of law exist in the statute since 2006 and it would be unfair on the part of this Court to assume and presume that the advocates have not read the provisions of plea bargaining as all learned counsel are up to date and well versed with the provisions of law and know the application and usefulness in the process of trial etc. as the advocates are not only themselves sensitized and educated of the provisions, but they are also capable of utilizing the provisions in respect thereof.

In such circumstances, as the provisions of law have been modified, we do not find any necessity to issue any directions or pass further orders in this regard.

The petition filed by the petitioner being meritless is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

06.02.2020

Manoj Bhutani

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