

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

CRM-M-3934-2021

Date of decision:29.01.2021

Anita

...Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition under Section 482 Cr.P.C., the petitioner seeks quashing of order dated 10.01.2020 passed by Additional Sessions Judge, Narnaul, whereby order dated 03.06.2017 passed by Additional Chief Judicial Magistrate, Narnaul, has been set aside.

The basic argument raised by learned counsel for the petitioner is that learned Additional Sessions Judge, Narnaul, while passing the impugned order dated 10.01.2020 (Annexure P6), has not heard petitioner-Anita, co-accused in the FIR. It is further stated that it is a settled law that nobody can be condemned unheard.

Notice of motion to respondent No.1-State only.

Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of the respondent-State. He has not disputed the fact that impugned order dated 10.01.2020 (Annexure P-6) does not indicate at any stage that the co-accused Anita-petitioner has been heard by the Court.

In view of the above, impugned order dated 10.01.2020

(Annexure P-6) passed by Additional Sessions Judge, Narnaul, is set aside and learned Additional Sessions Judge, Narnaul, is directed to pass a fresh order after hearing the petitioner-Anita, co-accused in the FIR.

Disposed of.

29.01.2021

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(HARNARESH SINGH GILL)
JUDGE

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