

CRM-M-933-2023

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

CRM-M-933-2023 (O&M)
Date of order: 23.02.2023

Shashi & others

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Sandeep Arora, Advocate
for the petitioner(s).

Mr. IPS Sabharwal, DAG, Punjab.

Mr. Ankur Bansal, Advocate
for respondent no.2.

ANOOP CHITKARA, J. (Oral)

Memo of appearance filed on behalf of respondent no.2 in Court is taken on record.

Counsel for the respondents have opposed the transfer of the case submitting that there is no legal ground to transfer the same.

At this stage, counsel for the petitioners submits that the petitioners will be contended and satisfied if personal presence of the petitioners is exempted before the trial Court and they are permitted to appear through their counsel. He further submits that the petitioners shall not claim any prejudice in case they are granted this liberty.

Given above, the prayer is innocuous and the same is allowed. Trial Court shall not insist for personal presence of the petitioners, except at time of framing of charges, recording of statement(s) under Sections 313 CrPC, if stage so arrived and as defence witness(s), if they want to appear and at the time of pronouncement of final judgment. It is further clarified that the accused shall also remain present in person at the time when they have to be identified by any witness, if Court requires their presence. It is further clarified that the complainant shall not take unnecessary adjournments. Needless to say that this order shall not imply any observation on merit and the concerned Court shall proceed further with the trial in accordance with law.

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Accordingly, the present petition shall stand disposed of.

(ANOOP CHITKARA)
JUDGE

February 23, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No