

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56947-2023 (O&M)

Date of Decision: 14.11.2023

SAHIL

.....PETITIONER

Vs.

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gurmohan Singh Bedi, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN J. (ORAL)

[1] The present petition has been filed under Section 482 of the Cr.P.C. for quashing the order dated 10.10.2023 (Annexure P-7), passed by learned Additional Sessions Judge (Fast Track Special Court) for trial of offences under the POSCO Act-cum-Children Court, Nuh, whereby the application for summoning of defence witness has been dismissed during the trial in FIR No. 202, dated 07.09.2020, under Sections 363, 366-A, 376-D & 506 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offence Act, 2012 registered at Police Station Pinangwan, District Nuh.

[2] Counsel for the petitioner has submitted that in **CRM-M-56790-2023** titled **Irshad and another vs. State of Haryana** in the same FIR a similar order has been set aside and co-accused of the petitioner has been allowed to lead defence. The petitioner is facing the trial as a juvenile before the Children Court and the impugned order has been passed by the

same Presiding Officer during trial of the co-accused in the same FIR.

[3] On having advance copy of the petition, Mr. Amrik Singh Narwal, D.A.G. Haryana, appears on behalf of respondent No. 1 and Mr. Mazlish Khan, Advocate, appears on behalf of respondent No. 2 and has filed his power of attorney in Court today. The same is taken on record.

[4] Keeping in view the above, the present petition is also allowed in terms of the order dated 09.11.2023 passed in CRM-M-56790-2023, titled Irshad and another vs. State of Haryana.

[5] Pending miscellaneous application (s), if any, shall also stand disposed of.

November 14, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No