
(2026) 08 P&H CK 0465
In the Punjab And Haryana At Chandigarh
Case No : CRM-M-42841-2026

Jasbir Singh

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Hindu Marriage Act, 1955 — Section 13-B

Citation : (2026) 08 P&H CK 0465

Hon'ble Judges : Vikram Aggarwal, J

Bench : Single Bench

Advocate : Mr. Bikramjit Singh Baath, Advocate, for the petitioner.

Final Decision : Petition disposed of

Judgement

Challenge in the present petition is to the order dated 03.07.2026 vide which, though the application moved by the petitioner-accused for examination of PW SI Jagtar Singh by video conference was allowed but no coordinator at the remote point was appointed.

2. The facts, as emanating from the petition, are that an application (Annexure P-1) was moved by the petitioner-accused for examining PW SI Jagtar Singh as per the rules of the Punjab and Haryana High Court governing video conference. Reply to the application (Annexure P-2) was submitted wherein, it was submitted that a request had been made by the witness Jagtar Singh, who was a retired and old person that as the embassy was far from his residence and there was no family member to accompany him to the embassy, he be permitted to record his evidence through video calling. The application was allowed vide order dated 03.07.2026 permitting the use of a portable video conferencing system. It was observed by the trial Court that since a major part of the examination-in-chief of Jagtar Singh had been recorded, there were no chances of any tampering of evidence. Accordingly, in view of Rule 8(5) of the Video Conferencing Rules, permission was granted for examination of PW SI Jagtar Singh from the place where he was residing.

3. Learned counsel for the petitioner submits that though the application for examination of PW SI Jagtar Singh by way of video conference had been moved by him and has rightly been allowed, the trial Court erred in permitting the examination from the residence of the witness and not appointing a remote point coordinator. Learned counsel submits that while allowing the application, the trial Court relied upon old rules whereas, now new rules have been notified. Learned counsel submits that in the absence of a remote point coordinator, there are chances of tampering of evidence.

4. I have considered the submission made by learned counsel for the petitioner.

5. The trial Court has referred to some Rule 8.15 of the Video Conferencing Rules. However, at present, the rules which are in force are the Use of Electronic Communication and Audio-Video Electronic Means Rules, 2026 (for short "2026 Rules"). Rule 8 deals with appointment of coordinators and lays down as under:-

"8 (1) There shall be a coordinator both at the Court point and at the designated place from where any required person is to be examined or heard or is directed to remain present. However, the coordinator may be required at the remote point only when a witness or a person accused of an offence is to be examined.

(2) In all the Courts, one or more persons nominated by the High Court or the Principal District and Sessions Judge/District and Sessions Judge concerned within whose jurisdiction the respective Court is situated, shall perform the functions of the coordinator(s) at the Court Point/Designated Place.

(3) The Court may appoint any Court official as a coordinator at the Court point.

6. Rule 8.4.1 deals where the Advocate or the required person is overseas. It provides that remote point coordinator in such a case would be an official of the relevant Indian Consulate/Indian Embassy/High Commission. Rule 8.4.10 deals with other locations apart from those mentioned in Rules 8.4.1 to 8.4.9. The rule states in such a case, some public servant or public official may be appointed as a coordinator.

7. Rule 9 deals with preparatory arrangements and states that no unauthorized recording device should be used.

8. Rule 12(12) states that evidence of a witness shall be recorded only from the designated place. The proviso to the said Rule states that if the Court thinks fit, the required person may be permitted for recording of evidence or to connect for hearing through video conferencing or other modes of audio-visual electronic communication from the place of his residence and work in the situations(s):-

"(a) Where a required person is not capable of reaching the Court Point or the designated place due to sickness or physical infirmity, or whose presence at the remote point cannot be secured without undue delay or expense, the Court may authorize conduct of video conferencing from the place of his residence or work.

(b) Where one of the parties to a petition under Section 13-B of Hindu Marriage Act, 1955 is residing outside India, Court may dispense with the requirement of presence of such party before Indian Consulate/Indian Embassy/High

Commission and may permit the recording of statement from any other remote point including the residence of the party subject to satisfaction of Court regarding identity of party and voluntariness of the statement and consent of other party.”

9. It is, therefore, clear that video conferencing can be ordered from home also. In the present case, considering the request of the witness, the trial Court permitted the recording of the statement of the witness through video conference from his residence. In this, the appointment of a remote point coordinator would not be possible and not required as well because an official of the relevant Indian Consulate/Indian Embassy/High Commission would not go to the residence of the witness.

10. Under the circumstances, the order does not suffer from any illegality. However, the Court shall follow the 2026 Rules in letter and spirit while recording the statement of PW SI Jagtar Singh and ensure that no tampering of evidence is possible.

11. The instant revision petition is accordingly disposed of in the above terms.

Pending application(s), if any, also stands disposed of.