

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

CR No.2705 of 2015 (O&M)

Date of decision :19.5.2015

Bhupinder Singh

....Petitioner

versus

Balbir Singh Maan and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sanjiv Gupta, Advocate, for the petitioner.

Ms. Ekta Thakur, Advocate, for respondent No.1.

Rajesh Bindal, J.

The petitioner/defendant No.1 has filed the present petition impugning the order dated 24.3.2015 passed by the learned court below, vide which his evidence was closed.

At the very outset, learned counsel for respondent No.1 submitted that the witness, namely, Daya Singh, Naib Sadar Kanoongo, who had been summoned by the petitioner and did not appear in the court earlier, appeared in the court on 22.4.2015 and his statement was recorded.

Learned counsel for the petitioner does not dispute the aforesaid factual position.

Considering the fact that the official witness, to whom the petitioner sought to examine, has already appeared before the court and his statement has been recorded, in my opinion, the present petition can be disposed of while modifying the order dated 24.3.2015 only to the extent that the evidence of the petitioner/defendant No.1 shall be deemed to be closed on 22.4.2015, after the evidence of Daya Singh, Naib Sadar Kanoongo was recorded and his statement shall be considered in the evidence led by the petitioner.

Ordered accordingly.

(Rajesh Bindal)
Judge

19.5.2015

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