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

CRM-M-24197 of 2014

Date of decision: August 18, 2015

Kamalu

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Ms. Trishanjali Sharma, AAG Haryana.

None for respondent No.2.

SABINA, J

Petitioner has filed this petition challenging the order dated 03.06.2014, whereby, prosecution evidence was closed.

Learned counsel for the petitioner-complainant has submitted that Dr. Amit Kumar is to be examined as a witness to corroborate the ocular version qua offence under Section 307 of Indian Penal Code, 1860. Learned counsel has further submitted that only one opportunity be granted to the prosecution to enable it to examine the said doctor. In fact, summons were issued qua Dr. Amit Kumar, but he could not be served as he had left the job.

None has appeared on behalf of respondent No.2.

In view of the submissions made by learned

counsel for the petitioner-complainant, it would be just and expedient to grant one effective opportunity to the prosecution to enable it to examine Dr. Amit Kumar as a witness. A perusal of the interim order dated 15.05.2014 reproduced in the grounds of petition, it is evident that the said doctor could not be served as he had left the job.

Accordingly, this petition is allowed. Trial Court is directed to grant one effective opportunity to the prosecution to enable it to examine PW Dr. Amit Kumar and thereafter, trial Court shall proceed further with the case in accordance with law.

**(SABINA)
JUDGE**

August 18, 2015
mahavir