

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-12079-2016 (O & M)
Date of decision:11.04.2016

M/s Akshay Enterprises and ors.

...Petitioner(s)

Versus

M/s Amarnath Alloys Motia Khan

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Nakul Sharma, Advocate,
for the petitioner(s).

Mr. N.S. Jagdeva, Advocate,
for the respondent.

Rajan Gupta, J. (oral)

Challenge in the instant petition is to order dated September 20, 2013 whereby cross-examination of the the complainant-Deepak Tandon, has been treated as nil. Learned counsel for the petitioner contends that one opportunity may be granted to the counsel for the accused to cross-examination the complainant subject to payment of appropriate costs.

Prayer has been opposed by the counsel representing the respondent on the ground that the petitioner has been trying to delay the trial on the one ground or the other. He failed to cross-examine the complainant on several dates. The trial court has rightly, thus, treated the cross-examination of the complainant as nil.

Heard.

Keeping in view the fact that the petitioner is ready to bear the costs for delaying the trial. This court feels that one opportunity

needs to be afforded to the petitioner to cross-examine the complainant. As the order pertains to the year 2013, apparently, petitioner has been trying to delay the proceedings on the one ground or the other, one opportunity be granted by the trial court to cross-examine the complainant Deepak Tondon subject to payment of ₹ 20,000/- as costs. Costs be remitted to the respondent.

Petition is allowed in these terms.

11.04.2016

sukhpreet

**(RAJAN GUPTA)
JUDGE**