

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

CRM-M-No.13013 of 2015

Decided on:-24.05.2016.

Ravi KantPetitioner(s)

Versus

State of PunjabRespondent(s)

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr.Rakesh Chopra, Advocate for the petitioners.

Mr.Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. assailing the order dated 17.04.2015 (Annexure P-1) passed by the Special Judge, Fatehgarh Sahib, whereby, the defence evidence of the accused i.e. present petitioner, was ordered to be closed.

Learned counsel for the petitioner contends that in order to prove his case, has moved an application Annexure P-2, seeking summoning of the concerned official of Airtel office, Phase-7, Mohali, Distt. Mohali alongwith call details record of mobile/cell No.7696824000 (wrongly written as 769682400), in the name of Ravi Kant son of Garja Shankar resident of village Mugal Majra, Iqbal Nagar, Tehsil Amloh, Distt. Fatehgarh Sahib from the date 10.03.2013 to 17.03.2013. He further

submits that FIR in question was registered on 15.03.2013 and necessity to summon the said witness arises because, the petitioner has been falsely implicated in the case and summoning of the said witness alongwith record would go a long way to falsify the case of the prosecution, however, defence of the petitioner was closed by order.

On the other hand, learned counsel for the State submits that the petitioner was granted ample opportunities to lead his evidence and despite granting numerous opportunities, as referred in the order dated 17.04.2015, has failed to produce his evidence and even the number as quoted by the petitioner in the application is invalid number.

Heard.

Though, order dated 17.04.2015 passed by the Special Judge, Fatehgarh Sahib shows that the petitioner was granted ample opportunities to lead his evidence and despite granting numerous opportunities, he has failed to conclude his evidence, however, considering the nature of offence and the fact that the accused should not be prejudiced for the reason that defence witness has not been allowed to be examined, this Court grant one more opportunity to the petitioner to lead his entire defence evidence on two dates.

However, it is made clear that in case the petitioner fails to complete his entire defence evidence on two dates, the trial Court may close the evidence.

May 24, 2016
Anjal

(HARI PAL VERMA)
JUDGE