

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

CRM No.M-3313 of 2016

Date of Decision: February 09, 2016

Sukhdial Chand

.... Petitioner

vs.

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. G.K. Mann, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Notice of motion.

Mr. Ashish Sanghi, DAG, Punjab accepts notice on behalf of the State.

The grouse of the petitioner is that no opportunity for cross-examination of PW2 Balbir Chand was given to him. It is contended that the case was taken up in the evening hours when the counsel was not present. Consequently, the opportunity was treated as nil.

Without going into the merits of the case, it is deemed proper that an opportunity to cross-examine PW2 Balbir Chand should be given to the petitioner. Accordingly, the impugned order dated 16.10.2015 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Ludhiana is set aside and the petitioner is granted one opportunity to cross-examine PW2 Balbir Chand. However, no further opportunity shall be given. The case will taken up at 11.00 a.m. so that the cross-examination will be completed on the same day.

**(KULDIP SINGH)
JUDGE**

February 09, 2016
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