

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-8255 of 2016
Date of decision: March 15, 2016.

M/s Priknit Retails Limited and others

... **Petitioner**

v.

M/s Preview Fashion

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. Gautam Dutt, Advocate for the petitioners.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

The petitioners are aggrieved by order dated 25.2.2016 (Annexure P-2) passed by learned Judicial Magistrate First Class, Ludhiana vide which the further cross examination of CW1 Krishan Murari Aggarwal was treated as 'nil'.

It was observed by the learned Magistrate that the case pertains to the year 2013 and falls under the 'action plan cases'. It comes out that a petition was pending before this Court challenging the amendment in the name of the complainant, which has been disposed of today vide a separate order. It appears that on account of pendency of the said petition, CW1 Krishan Murari Aggarwal was not cross examined. The interest of justice requires that the complaint should be decided on merits. Therefore, without issuing notice to the respondent, the impugned order is set aside and the petitioners are given one opportunity to further cross examine CW1 Krishan Murari Aggarwal on the next date of hearing fixed before the lower court.

The petition is accordingly allowed.

March 15, 2016.
kadyan

[**Kuldip Singh**]
Judge