

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.3255 of 2015 (O&M)

Date of decision: 29.03.2016

Hardip Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Gagandeep Singh Sirphikhi, Advocate
for the petitioner
Mr.Ashish Sanghi, DAG Punjab
Mr.Mohan Singh, Advocate for respondent No.3

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)

Impugned in the present revision is order dated 19.8.2015, passed by the learned Judicial Magistrate 1st Class, Batala, vide which, the prosecution evidence was closed by order, while observing that it was last opportunity and that the case pertains to the year 2009 and charges were framed on 25.10.2013.

Heard.

It comes out that vide order dated 5.8.2015, an application under Section 311 Cr.P.C. was allowed and some witnesses were ordered to be summoned. The perusal of file shows that witness No.2 died. Witness No.3 is reported to have been dismissed from police

service. Witness No.4 was transferred to some other district. However, witness No.1 was not served. Perusal of file further shows that the offences are under Sections 465 and 471 IPC.

Therefore, taking into the entirety of circumstances and the reports, the impugned order is set aside. The prosecution is granted one opportunity to take summons of all the witnesses dasti and produce them before the Court without any further delay. No further opportunity shall be granted.

The petition stands allowed.

29.03.2016*gk***(Kuldip Singh)
Judge**