

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

CRR-4115-2016

Date of decision-16.12.2016

Ram Bilash and another

...Petitioners

Vs.

State of Haryana

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Neha Sonawane, Advocate for the petitioners.

Mr. Harsh Aggarwal, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

This revision petition is directed against the order dated 27.09.2016 passed by learned Additional Sessions Judge, Gurgaon whereby application dated 16.04.2016 for summoning of defence witnesses has been dismissed.

Learned counsel for the petitioners contends that the learned Court below erred in dismissing the application moved by the petitioners for summoning defence witnesses. The witnesses sought to be examined are relevant in order to know workings of the system of communication in Maruti Suzuki India Ltd. Company, Gurgaon-Manesar and their evidence would have material bearing on the outcome of the case. All the witnesses are official and are required for production of record which would help the petitioners to prove their innocence. It was further contended by learned counsel for the petitioners that they were not present at the place of occurrence in Manesar plant on 18.07.2012.

I have heard learned counsel for the petitioner and have perused the case file.

From the perusal of impugned order dated 27.09.2016, it is evident that prosecution evidence was concluded on 02.03.2015 and trial was fixed for defence evidence since 08.02.2016. Prior to filing of the present application, learned counsel for the petitioners had already moved two applications for summoning defence witnesses. As on the date of dismissal of the application, 14 defence witnesses had already been examined.

Therefore, this Court feels that the application for summoning defence witnesses moved by the petitioners herein has been rightly rejected by the trial Court.

The petition stands dismissed.

(JITENDRA CHAUHAN)
JUDGE

December 16, 2016

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No