

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1735-2017

Date of Decision:- 23.01.2017

Swaranjit Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Yashpal Thakur, Advocate,
for the petitioner.

RITU BAHRI, J. (Oral)

Present petition is for quashing of order dated 30.11.2016 passed by learned Magistrate Amloh, Fatehgarh Sahib whereby an application under Section 311 Cr.P.C. filed by the petitioner for summoning the material and official witnesses has been dismissed.

Learned counsel for the petitioner submits that in the present case the charge was framed on 01.09.2016 and examination of one witness for proving the birth certificate would be a relevant evidence for just fair decision in the present case. Apart from this, two witnesses, who had attended the second marriage solemnized at Gurudwara in the same village, are also very much necessary for the proper adjudication of the present case.

After hearing the learned counsel for the petitioner, going through the record, the present petition is allowed. The impugned order

dated 30.11.2016 is hereby set aside and direction is given to the trial Court to examine three witnesses i.e. one to prove the birth certificate and other two witnesses to prove the ceremony held at Gurudwara, subject to payment of costs of ₹2,000/-, to be deposited before the State Legal Service Authority.

January 23, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No