

CRM No. M-30550 of 2017

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-30550 of 2017
Date of Decision : 21.08.2017

Pooja Rani

...Petitioner

Versus

Sanjeev Kumar Saxena

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner is assailing order dated 24.03.2017 (Annexure P-3) passed by JMJC, Patiala, whereby her application under Section 311 of Cr.P.C. for cross-examination of the complainant had been dismissed.

Learned counsel for the petitioner contends that despite the best efforts of the petitioner, the complainant could not be cross-examined and in case the complainant is not cross-examined, the case of the petitioner would be seriously prejudiced as she is facing trial under Section 138 of the Negotiable Instruments Act. Learned counsel further contends that she may be granted just one opportunity to cross-examine the complainant subject to payment of costs.

In view of the limited prayer of learned counsel for the petitioner, I do not intend to issue notice to the respondent. I am of the considered view that it would be in the interest of justice, if

the petitioner is granted one opportunity to cross-examine the complainant subject to payment of costs.

Consequently, the petition is allowed and the impugned order dated 24.03.2017 is set-aside. The petitioner shall be granted one opportunity to cross-examine the complainant subject to payment of costs of ₹5000/-.

August 21, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No