

CRM No. M-37470 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-37470 of 2017
Date of Decision : 06.10.2017

Rajesh Sharma

...Petitioner

Versus

Gagan Fibers Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manuj Nagrath, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner is impugning order dated 14.09.2017 (Annexure P-9) passed by Judicial Magistrate Ist Class, Ludhiana, whereby the evidence of the complainant had been closed.

Learned counsel for the petitioner contends that the petitioner is accused in a criminal complaint under Section 138 of the Negotiable Instruments Act. Learned counsel further contends that despite the best efforts of counsel for the petitioner, cross-examination of the complainant could not be completed. He states that only one opportunity may be given to the petitioner to complete the cross-examination of the complainant subject to reasonable costs.

Heard.

In view of the limited nature of the prayer of the petitioner for granting one opportunity to complete the cross-examination of the complainant, I do not intend to issue notice to the respondent.

The petitioner is facing trial under Section 138 of the Negotiable Instruments Act. The cross-examination of the complainant could not be completed. The request of learned counsel for the petitioner appears to be reasonable. Therefore, it would be in the interest of justice, if the petitioner is granted one opportunity to cross-examine the complainant.

Consequently, the impugned order dated 14.09.2017 (Annexure P-9) is set-aside. The petitioner/accused shall be granted one opportunity to cross-examine the complainant subject to payment of costs of ₹10,000/- to be paid in District Legal Services Authorities, Ludhiana.

The petition stands disposed of accordingly.

October 06, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>