

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

CRM-M No.42283 of 2016 (O & M)

Date of decision: 12.07.2017

Suresh Kumar

....Petitioner

Vs.

Raj Kumar

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. S.K. Nehra, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

None appears for the respondent/complainant.

The petitioner, who is the accused in complaint case No.14 dated 07.10.2013 pending in the Court of learned SDJM, Bilaspur, is aggrieved with the orders dated 17.09.2016 and 04.10.2016, by virtue of which, cross-examination of the complaint was closed due to non-availability of the petitioner's counsel on the relevant date, (i.e. 17.09.2016) after which the prayer for recalling that order was also rejected vide order dated 04.10.2016.

It transpires that since then there has been no further progress in the trial as further proceedings in the same were virtually directed to be adjourned beyond the date fixed in this Court.

As the complainant/respondent himself has not appeared to contest the claim of the petitioner, this Court in exercise of its inherent power under Section 482 of the Cr.P.C. is inclined to grant one more opportunity to the petitioner to cross-examine the complainant, subject to payment of cost of Rs.10,000/-, payable in his favour.

The impugned orders are, accordingly, set aside and the learned Trial Court is directed to permit the petitioner-accused to cross-examine the complainant on record, after which further proceedings shall continue in accordance with law.

Dismissed.

(SUDIP AHLUWALIA)
JUDGE

12.07.2017

Dinesh

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No