

CRM No. M-48931 of 2017

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-48931 of 2017
Date of Decision : 21.12.2017

Gurpreet Singh

...Petitioner

Versus

Anju Bala

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajinder Singh Bhatta, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking setting-aside of the order dated 09.05.2017 (Annexure P-1), whereby his application under Section 311 Cr.P.C. for recalling the complainant for cross-examination has been dismissed and the order dated 09.10.2017 (Annexure P-2), whereby his revision there against has also been dismissed.

Learned counsel for the petitioner states that one opportunity to cross-examine the complainant may be given as earlier various documents, which were having a bearing on the decision of the case including agreement to sell, were not in the possession of the petitioner despite his best efforts.

In view of the limited nature of the prayer of the petitioner for granting one opportunity to cross-examine 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 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 orders dated 09.05.2017 and 09.10.2017 are 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, Fazilka.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

December 21, 2017
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<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>