

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

134

**CRM-M-49111-2017
DATE OF DECISION: 21.12.2017**

NACHHATTAR SINGH

... Petitioner(s)

Versus

PARAMJIT SINGH

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has impugned the order dated 15.05.2017 (Annexure P-4) whereby his application under Section 311 Cr.P.C. for cross-examination of the complainant has been dismissed and the order dated 24.08.2017 (Annexure P-5) passed by the Sessions Judge, Patiala whereby his revision thereagainst, has been dismissed.

Learned counsel for the petitioner contends that the petitioner may be granted only one opportunity to cross-examine the complainant as otherwise grave prejudice will be caused to him. He further contends that despite the efforts of the petitioner, the complainant could not be cross-examined.

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 N.I. Act. He has sought one opportunity to cross-examine the complainant. The request of learned counsel for the petitioner appears to be reasonable. Therefore, it would be in the interest of justice, if one opportunity is granted to the petitioner to cross-examine the complainant, subject to reasonable costs.

Consequently, the impugned orders dated 15.05.2017 (Annexure P-4) and 24.08.2017 (Annexure P-5) are set-aside. The petitioner shall be granted one opportunity to cross-examine the complainant, subject to payment of costs of Rs.5,000/- to be paid in District Legal Services Authorities, Patiala.

The petition stands disposed of accordingly.

21.12.2017.

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No