

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR-2981-2017

Date of decision: 28.08.2017

Rajender

..... Petitioner

Versus

Anoop Sharma

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Vikas Bishnoi, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

1. Through the instant revision petition, complainant/petitioner-Rajender, has laid challenge to the order dated 03.08.2017, passed by learned trial Court dismissing his application under Section 311 Cr.P.C., filed after availing 8 opportunities for examination of two witnesses, namely; Krishan and Dilbag.

2. Learned counsel contends that the petitioner-complainant did not examine the aforesaid eye-witnesses in whose presence, the amount in question was advanced to the respondent-accused as he kept the petitioner in dark on the false pretext of compromising the matter. In the interest of justice, the petitioner may be afforded one opportunity to conclude his evidence.

3. Considering overall facts and circumstances of the case, but without commenting upon the merits of the case, the impugned order dated 03.08.2017 is set aside. The trial Court is directed to afford one

opportunity to the petitioner, to examine the aforesaid witnesses namely;

Krishan and Dilbag, at his own responsibility, subject to payment of ₹ 20,000/- as costs to be paid to the respondent accused.

4. This petition is disposed of without issuing notice to the respondent with a view to impart justice to the parties and to save the huge expenses which may be incurred by the respondent and also to avoid unnecessary delay in the adjudication of the matter. Still, if dissatisfied, the respondent may move this Court for recalling this order within six weeks from today.

August 28, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No