

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

CRM-M-10071-2017

Decided on: 06.09.2018

Neeraj Kalra

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. A.P. Singh, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. A.K. Khunger, Advocate,
for respondents No.2 and 3.

H.S. MADAAN, J (ORAL)

Learned counsel for respondents No.2 and 3 has made a statement that he has no objection, if the impugned order closing the evidence of the petitioner, is set aside and Neeraj Kalra, respondent-husband, who is petitioner before this court is given one opportunity to cross-examine the AW-1 and AW-2, subject to payment of cost.

Accordingly, the petition in question is allowed.

The impugned order dated 07.04.2015 passed by JMIC, Abohar treating cross-examination of AW-1 and AW-2 as nil, is set aside, subject to payment of Rs.10,000/- as cost by present petitioner-Neeraj Kalra to his wife Poonam Rajpal. The cost be paid in the Court of JMIC, Abohar, who shall then fix a date for summoning of AW-1 and AW-2 for the purpose of their cross-examination on behalf of Neeraj Kalra, who is respondent in the application under Section 125 Cr.P.C.

It is made clear that only one effective opportunity for cross-examination of these AWs is to be granted.

A copy of this order be sent to the Court concerned for information and necessary compliance.

(H.S. MADAAN)
JUDGE

06.09.2018
Dinesh

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No