

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13846 of 2017 (O&M)

Date of Decision: 03.08.2018

Vijay Chhabra

...Petitioner

VERSUS

Dushyant Kumar

...Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Manoj Kumar Sood, Advocate  
for the petitioner.

Mr. Harkesh Manuja, Advocate  
for the respondent.

\*\*\*\*\*

**SURINDER GUPTA, J.(Oral)**

Heard.

The petitioner moved application under Section 315 Cr.P.C. before the trial Court for permission to appear as his own witness. His application was dismissed on the ground that despite the fact that he has been allowed so many opportunities, he failed to move application under Section 315 Cr.P.C.

Section 315 Cr.P.C provides right to accused to appear as witness and put forth his plea. Admittedly, petitioner has earlier availed so many opportunities but allowing him to appear as witness will not further delay the case as he has to appear on each and every date.

Keeping in view above facts, the instant petition is allowed and order dated 15.11.2016 is set aside, and petitioner is ordered to be given opportunity to appear as his own witness. The next date fixed before the trial Court is 14.08.2018. Trial Court will record statement of petitioner on 14.08.2018 itself and will not allow any further adjournment to petitioner in this regard.

**( SURINDER GUPTA )  
JUDGE**

**August 03, 2018**

*jk*

***Whether speaking/reasoned:***

***Yes/No***

***Whether Reportable:***

***Yes/No***