

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-8120 of 2018

Date of Decision: February 26, 2018

P.S. Bishnoi

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Aditya Sanghi, Advocate for the petitioner

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Sudhir Mittal, J. (Oral)

The petitioner seeks quashing of order dated 11.01.2018 (Annexure P-2) passed by the trial Court whereby application under Section 311 Cr.P.C. was rejected as well as order dated 08.02.2018 (Annexure P-1) whereby the revision against the said order has also been dismissed.

Learned counsel for the petitioner contends that Parmender Singh has not been examined and complainant P.S. Bishnoi has not been cross-examined and, therefore, only one opportunity may be given to examine them subject to payment of costs.

In view of the nature of order that is being passed there is no necessity to call upon the respondents.

The petition is disposed of with direction to the trial Court to permit the petitioner to get himself cross-examined and examine his son viz. Parmender Singh on the next date of hearing after tomorrow subject to payment of costs of Rs. 10,000/-. The costs will be deposited with the Haryana State Legal Services Authority in the District Court, Hisar. Accordingly, orders dated 11.01.2018 and 08.02.2018 are set aside. It is made clear that only one opportunity would be granted and in case the petitioner fails to produce his evidence, the prosecution evidence would stand closed.

February 26, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No