

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-2103 of 2019 (O&M)

Date of Decision: 26.03.2019

Manjeet Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Naveen Bawa, Advocate
for the petitioner(s).

Shekher Dhawan, J.

CRM-7130-2019

Application is allowed, as prayed for, subject to all just exceptions. Exemption is granted from filing of certified copies of interim orders and true typed copies thereof are taken on record as Annexure P5 (Collectively).

CRM-M-2103-2019

Present petition under Section 482 Cr.P.C. for setting aside impugned order dated 04.09.2018 passed in case FIR No. 22 dated 14.01.2015, registered under Sections 341, 323, 506 & 34 IPC at Police Station Jodhewal, District Ludhiana, whereby the learned trial Judge closed the prosecution evidence to the extent that one medical officer, namely Dr. Harveen Kaur, who is now posted at Jalandhar, could not be examined, though she is material witness as she had done medical examination of the injured and medicolegal report is to be got approved as per her statement.

On different dates, as per copies of interim orders, notices were issued to Dr.Harveen Kaur, but the same were received back unserved and the learned trial Court closed the prosecution evidence, rather than adopting other means to procure the presence of the said witness.

In view of above, present petition is accepted and one more opportunity be given by the learned trial Judge to summon the said official witness, namely Dr.Harveen Kaur only and notice be issued through the Chief Medical Officer/Civil Surgeon of the concerned district. In case she fails to appear before the learned trial Court, the learned trial Judge may consider the option to compel the presence of the said witness through issuance of warrants, if any.

(Shekher Dhawan)
Judge

March 26, 2019
“DK”

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