

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 17614 of 2017
Date of Decision: 07.11.2019**

Sanjeev Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Vijesh Sharma, DAG, Haryana.

Mr. Akshay Jindal, Advocate
for respondents No. 2 to 11.

HARNARESH SINGH GILL, J. (ORAL)

By way of this petition, the petitioner has challenged the order dated 14.3.2017 (Annexure P-1) vide which the evidence of the petitioner was closed and the order dated 5.5.2017 (Annexure P-3) whereby, the application filed by the petitioner under Section 311 Cr.P.C. was dismissed by the trial Court.

It has been brought to the notice of the Court that three opportunities were granted to the prosecution and thereafter, vide order dated 14.3.2017 (Annexure P-1), the prosecution evidence was closed. Thereafter, the petitioner moved an application under Section 311 Cr.P.C. for summoning the prosecution witnesses i.e. Dr. Aman Jain and Dr. Rajiv Goel.

Learned counsel for respondents No. 2 to 11 has submitted that

on 6.2.2017, the MLR was proved on record by Dr. Kartikeyan M., Assistant Professor, PGI.

Learned counsel for the petitioner has relied upon the judgment of this Court in case of *Om Parkash versus State of Haryana and others 2015(3) R.C.R.(Criminal) 557*, wherein it has been held that if the official witnesses do not come for the examination, then the Court should take coercive methods to secure their presence. In the present case, the material document has been examined and proved by the doctor of the PGI.

Keeping in view the facts and circumstances of the present case, no ground for interference by this Court is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

November 07, 2019
Gurpreet

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