

117.

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

**CRM-15542-2019 IN/AND
CRM-M-30174-2018**

Date of decision:27.05.2019.

MOHINDER PAL @ MOHINDER PAL SINGH SUMAN ... Petitioner

versus

SANGITA RANI AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. J.S. Bagga, Advocate, for the petitioner.

Mr. Gautam Diwan, Advocate,
for the applicant-respondent No.1.

HARI PAL VERMA, J.(Oral)

CRM-15542-2019

Prayer in this application filed under Section 482 Cr.P.C. is for preponement of hearing of the present petition, which is otherwise fixed for 20.08.2019.

Notice in the application was issued on 17.05.2019.

For the reasons stated in the application, same is allowed and the case is taken up for hearing today itself.

CRM-M-30174-2018

Petitioner-Mohinder Pal @ Mohinder Pal Singh Suman has filed the present petition under Section 482 Cr.P.C. impugning the order dated 07.06.2018 passed by learned Judicial Magistrate Ist Class, Chandigarh (Annexure P-2), whereby the evidence of the petitioner was

Counsel for the petitioner has submitted that on 04.06.2019, the petitioner was not available and accordingly, the case was adjourned for 07.06.2018. However, on that date also, the petitioner could not appear and an application was moved seeking exemption, but the same was declined. He seeks one more opportunity to get himself examined.

At this stage, counsel for respondent No.1-Sangita Rani states that irrespective of opportunities so granted to the petitioner, the respondent has no objection in case one more opportunity is granted to the petitioner to get himself cross-examined.

In view of the conceded position, the present petition is allowed and the order dated 07.06.2018 passed by learned Judicial Magistrate Ist Class, Chandigarh is hereby set aside and the petitioner is granted one opportunity to get himself examined. The parties are directed to appear before the trial Court on 03.06.2019 when the case is otherwise fixed for hearing. On that date, the petitioner would get himself examined.

It is made clear that in case the petitioner fails to appear on the relevant date and get himself examined, the present petition would deem to have been dismissed.

(HARI PAL VERMA)
JUDGE

27.05.2019
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.