

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-7436-2016

Date of decision: 05.03.2019

Harminder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Jai Bhagwan, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing order dated 21.01.2016 (Annexure P-1) whereby evidence of the prosecution was closed by order.

Learned counsel for the petitioner-complainant *inter alia* contends that the trial Court illegally closed the prosecution evidence, ignoring the fact that out of 21 witnesses, 11 have already been examined and only 4 material witnesses remain to be examined. The trial Court also failed to appreciate that out of 21 adjournments sought by the prosecution to conclude its evidence, on 15 dates, prosecution witnesses were present, but were not examined by the trial Court, either on request of prosecution witnesses or otherwise. The trial Court ought to have issued 'non-bailable warrants' of the prosecution witnesses, if, they were not appearing, despite being bound down for the next date of hearing.

In view of the above factual aspect of the matter, the

is directed to summon all the remaining prosecution witnesses even by adopting coercive methods and record their statements.

Disposed of.

March 05, 2019

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**(RAMENDRA JAIN)
JUDGE**

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