

Sr. No.125

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

CRM-M-24758-2019(O&M)

Date of decision:30.05.2019

Sanjay Kumar Jindal

..... Petitioner

versus

Rajinder Kumar

..... Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. R.K.Handa, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Learned counsel for the petitioner submits that the cost imposed upon the petitioner by the Trial Court has already been deposited by the petitioner. It is further submitted that in fact, the petitioner wanted to examine the witness in his defence evidence. Therefore, the petitioner should have moved simple application for summoning of the said witness. However, by mistake, he has moved an application under Section 311 Cr.P.C. Therefore, it is submitted that the petitioner be permitted to withdraw the present petition with liberty to apply to the Trial Court for summoning of relevant witness as defence witness; since the case is already fixed for defence evidence only.

Dismissed as withdrawn with liberty aforesaid.

30th May, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*