

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32332-2019

Date of Decision: 05.09.2019

Sharad Yadav

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Manish Soni, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Notice of motion.

On the asking of the Court, Mr. Ramesh Kumar Ambavta, AAG,
Haryana, accepts notice on behalf of the respondent.

Two copies of the petition be handed over to him during the course of
the day.

The petitioner seeks extension of opportunity to examine the
remaining prosecution witness (stated to be one Dr. Vijay Richard), after only two
opportunities were granted by the learned trial Court, vide its order dated
23.04.2019, upon an application filed under Section 311 of the Cr.P.C..

Learned counsel for the petitioner further submits that one of the PWs
had been examined on 06.06.2019, i.e. the Deputy Commissioner of Police (Sh.
Ashok Bakshi), but as the aforesaid Dr. Vijay Richard was not present on that date,
he could not be examined and consequently, another opportunity may be granted
to examine him.

That being so, the petition is allowed to the extent that another

opportunity shall be granted by the trial Court to the prosecution to get examined Dr. Vijay Richard, with a direction to the Director General of Health Services, Haryana, to ensure that the said doctor duly gets himself examined before the trial Court, unless that cannot be done for any genuine medical reason, in which case an additional opportunity shall be granted to the prosecution upon the said doctors' health being restored (if that ground is taken).

A copy of this order be given to learned counsel for the parties, under the signatures of the Bench Secretary of this Court.

September 05, 2019
nitin/vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.