

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.112

CR-5251-2019

Date of decision: 30.08.2019

Lakhvir Singh

....Petitioner

versus

Jasdev Kaur

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition is directed against the order dated 16.05.2019 passed by the Civil Judge (Junior Division), Dasuya (for short – the Trial Court) through which the petitioner has not been granted permission to cross-examine PW-4 Jasdev Kaur.

Learned counsel for the petitioner submits that on 16.05.2019, PW-4 Jasdev Kaur, who had earlier been examined in chief was present in Court but since the petitioner's counsel was busy before some other Court, he could not appear before the Trial Court resulting in the passing of the impugned order wherein cross-examination of PW-4 Jasdev Kaur has been ordered to be treated as Nil.

A perusal of the impugned order dated 16.05.2019, through which PW-4 Jasdev Kaur's cross-examination has been ordered to be treated as Nil, duly records the presence of Sh. S.S. Sahi, Advocate, who is the learned counsel engaged by the petitioner to appear on his behalf before the Trial Court. That being so, the fact whether the presence of the petitioner's counsel has been wrongly recorded by the Trial Court can be opined only by that Court.

In view of the above, the present petition is dismissed with the liberty to the petitioner to move the Trial Court seeking review of the order dated 16.05.2019 to the extent above.

(DEEPAK SIBAL)
JUDGE

August 30, 2019
Jyoti 1

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