

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

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CRR-2459-2019

DATE OF DECISION: 23.09.2019

MANJIT SINGH

... Petitioner(s)

Versus

JASMINDER SINGH

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Sunita Nambiar, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 28.08.2019 whereby his defence evidence has been closed.

Learned counsel for the petitioner contends that the petitioner has to examine three defence witnesses and in case the witnesses are not examined, the petitioner will be denied fair trial. He undertakes that the petitioner shall not make any effort to delay the trial.

Heard.

In view of the limited prayer of the petitioner to grant him an opportunity to examine the three defence witnesses, I do not deem it necessary to issue notice to the respondent and in the event of notice being issued, it will cause further delay in the proceedings.

Failure to examine witnesses in his defence may cause prejudice to the case of the petitioner and would amount to denial of fair trial which is the constitutional right enshrined in Article 21 of the Constitution of India.

Therefore, it would be in the interest of justice, if one opportunity is granted to the petitioner to examine remaining three defence witnesses.

Consequently, the petition is allowed. The trial Court shall grant one opportunity to the petitioner to examine the three defence witnesses subject to payment of Rs.10,000/- as costs to be deposited with the Legal Services Authority, Ludhiana. It is further directed that the trial Court shall conclude the trial expeditiously.

(ANUPINDER SINGH GREWAL)
JUDGE

23.09.2019.

SwarnjitS

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