

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

**CRM-M-38115-2019 (O&M)
Date of Decision : 13.01.2020**

Lila Dhar

..... Petitioner

Versus

M/s Pooja Sales Agencies and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Arvind Rajotia, Advocate
for the petitioner.

Mr. Shalender Mohan, Advocate
for the respondents.

RAMENDRA JAIN, J. (Oral)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing/setting aside the impugned orders dated 09.04.2019 of Addl. Sessions Judge, Chandigarh and 03.12.2018 of Judicial Magistrate 1st Class, Chandigarh vide which evidence of the petitioner was closed by order.

Heard.

Perusal of file shows that the trial court though afforded several adjournments to the petitioner to conclude his evidence, but in considered opinion of this Court, the same were quite short, making it difficult for the petitioner to summon the required witnesses. More so, on 19.11.2018, the case was adjourned to 22.11.2018 and then to 29.11.2018. On 29.11.2018, the case was adjourned to 03.12.2018. Finally, on 03.12.2018, the evidence of petitioner was

closed by order. It seems that trial court acted in haste and did complete injustice to petitioner by closing his evidence by court order.

In view of above factual position, orders dated 09.04.2019 of the revisional court and 03.12.2018 of the trial court are set aside. Trial court is directed to afford reasonable/sufficient opportunities to the petitioner to conclude his evidence, subject to costs of Rs.5,000/- to be paid to the opposite party.

Disposed of accordingly.

13.01.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No