

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

(Sr. No. 115)

CRR(F) No.198 of 2022

Date of decision : 17.03.2022

Master Yashash (minor) through his mother Amarlata

.....Petitioner

Versus

Ajay Yadav

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Satbir Singh Gill, Advocate for the petitioner.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 401 Cr.P.C. challenge is made to the order dated 05.01.2022 passed by the Additional Principal Judge, Family Court, Faridabad (for short – the Trial Court) through which the petitioner's evidence was ordered to be closed on the ground that in spite of grant of several opportunities the petitioner had not led his entire evidence.

Learned counsel for the petitioner submits that the petitioner is a 03 year old child who has filed a petition through his next best friend/mother under Section 125 Cr.P.C. seeking therein the grant of maintenance from his father; due to the petitioner's young age his next best friend/mother could not find enough time to arrange for the evidence to be produced and that the petitioner prays for the grant of only one opportunity to lead his entire evidence.

After considering the above submissions, this Court is of the view that the ends of justice would be met by granting to the petitioner one effective opportunity to lead his entire evidence and it is so ordered. Resultantly, the impugned order is set aside with a direction to the Trial Court to grant one effective opportunity to the petitioner for leading his entire evidence.

The petition is allowed in the above terms.

17.03.2022*sunil yadav***(DEEPAK SIBAL)****JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No