

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

(111)

**CRR(F)-425-2022
Date of decision:- 12.05.2022**

Satish Mehta

...Petitioner

Versus

Shakuntla

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Jaspreet Kaur, Advocate for the petitioner.

SUVIR SEHGAL, J. (Oral)

Instant revision petition has been filed under Section 401 of the Code of Criminal Procedure, 1973 seeking setting aside of impugned order dated 26.04.2022, whereby the evidence of the petitioner has been closed by Court order.

Heard counsel for the petitioner.

A perusal of the impugned order shows that despite availing of twelve opportunities, the petitioner barely examined two witnesses. Though, the counsel has argued that the petitioner could not lead evidence due to the pandemic, yet he has not appended the interim orders passed by the Trial Court to fortify his submission. However, considering the fact that in case the impugned order is not set aside, the right of the petitioner to put forth his version will stand defeated, this Court is of the view that one effective opportunity deserves to be granted to him to lead his evidence at his own responsibility and the respondent can be adequately compensated by way of cost.

Petition is accordingly allowed.

Impugned order dated 26.04.2022 is set aside.

Petitioner is granted one effective opportunity to lead his entire evidence at his own responsibility subject to payment of cost of Rs.30,000/- to the respondent. Deposit of cost shall be a condition precedent to the grant of opportunity to the petitioner.

12.05.2022
Kamal

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No