

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

207

CRM-M-49225-2021

Date of Decision: August 02, 2022

Kiranjit Kaur

.....Petitioner(s)

Vs.

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms.Drishtana Singh, Advocate for the petitioner(s)

Mr. Harsimar Singh Sitta, AAG, Punjab

Mr. Vikas Bali, Advocate for respondents No.2 and 3.

ANOOP CHITKARA J. (ORAL)

1. By way of this petition, the petitioner prayed for quashing of the order dated 01.10.2021 passed in case FIR No.7 of 2013 dated 12.01.2013 registered at Police Station City Khanna, District Khanna under Sections 323, 326 and 34 IPC, whereby the revision petition filed by the present petitioner-complainant was dismissed as well as order dated 07.09.2019 whereby the application filed by the Prosecution under Section 311 Cr.P.C was dismissed and the evidence of the prosecution was closed by order.

2. In nutshell, petitioner wants to examine Assistant Chemical Examiner and Medical Officer.

3. From perusal of Section 293 Cr.P.C., it is very much clear that report of the Scientific Experts including Assistant Chemical Examiner are *per se* admissible and examination of witness for that purpose not required.

4. Regarding the examination of doctor, who conducted the medico legal examination, the application is allowed. It is for the petitioner to ensure presence of the witness before the trial Court. There is no need to issue summons to the doctor.

5. The date for examination shall be fixed by the trial Court but not later than 30.09.2022. It is clarified that only one opportunity is granted to the petitioner.

6. In case such doctor is not produced for examination for his statement on or before 30.09.2022, no further adjournment shall be granted by the trial Court.
7. The petition is partly allowed with the aforementioned observations.
8. Trial be expedited.

(ANOOP CHITKARA)
JUDGE

August 02, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No