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

CRM-M-6428-2023(O&M)

Date of Decision: February 07, 2023

Balwan Singh @ Balwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Lupil Gupta, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 482 Cr.P.C. praying for setting aside of order dated 31.08.2022 passed by learned JMIC Budhlada, District Mansa, vide which right of cross-examination of PW1 and PW2 has not been given to the petitioner.

Counsel for the petitioner submits that the learned trial Court has observed “opportunity given nil” to the defence counsel, i.e. petitioner's counsel. He submits that petitioner has right to cross-examine both PW1 and PW2, however, his right of cross-examination has been illegally declined.

After hearing counsel for the petitioner and perusing the record, it cannot be deciphered as to what was the reason for denying opportunity to the petitioner for cross-examination of PW1 and PW2 as there is nothing on record to show that the petitioner, after passing of this impugned order, has filed any application for redressal of his grievances.

After arguing for sometime, counsel for the petitioner prays for

withdrawal of this petition with liberty to file an appropriate application before the trial Court for redressal of his grievances.

Allowed as prayed for.

Petition is dismissed as withdrawn with liberty aforesaid. The Court concerned is directed to deal with the application, if so filed before it, in accordance with law, expeditiously.

February 07, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |