

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

**Neutral Citation No. 2023:PHHC:042466
CRM-M-13658-2023
Date of Decision: March 22, 2023**

Ram Parkash Sasramtra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Puja Chopra, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition is to quash the order dated 15.02.2023 passed by learned Judicial Magistrate 1st Class, Patiala, whereby his defence has been closed in a complaint case bearing No.COMA-2929 of 2017.

Perusal of the impugned order dated 15.02.2023 would reveal that after recording the statement of the accused-petitioner under Section 313 Cr.P.C., he had availed as many as 43 effective opportunities to produce his defence evidence. He examined 10 witnesses. The remaining evidence was not produced. After noticing the number of opportunities already availed by the petitioner and also noticing that repeated applications were being moved to summon the witnesses, his defence was closed.

Contention of learned counsel for the petitioner is that the witnesses earlier summoned by the petitioner-accused had not appeared and so closing the evidence was not justified.

This Court finds no illegality in the impugned order. As noticed by the Trial Court, more than 40 effective opportunities had already been availed by the petitioner-accused and so Trial Court was

justified in closing the evidence. So, no illegality can be found in the
impugned order. As such, the present petition is dismissed.

March 22, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No