

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

(113)

CR-2744-2023

Date of Decision : May 04, 2023

Lovepreet Kaur

.. Petitioner

Versus

Harwinder Singh and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harsh Raheja, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present civil revision petition has been filed for setting aside the order dated 10.03.2023 (Annexure P-2) by which, the evidence of the petitioner-defendant was closed.

2. Thereafter, an application was made for allowing the petitioner-defendant to examine the defence witness, which benefit was allowed by the trial Court vide order dated 07.02.2023. Despite giving opportunity to bring on record all the evidence, only one defence witness was examined and the defence was again closed by an order. The said order was never challenged by the petitioner-defendant but again, an application was filed for allowing the petitioner-defendant to examine another witness, which has been dismissed vide impugned order dated 10.03.2023.

3. The fact clearly go on to show that the process of the Court is being misused and rather is being abused. Once, an opportunity was given

to the petitioner-defendant after closing of the evidence to bring on record the evidence which she wants to produce, she produced only one witness and the defence was again closed.

4. Once the said order of closing of the defence is not under challenge, how can an application for examination of other witness be filed even, much less allowed.

5. In the facts and circumstances of the present case, after the grant of due opportunities to the petitioner-defendant to bring on record the evidence which she wanted to produce, which opportunity has not been availed by her, the Court cannot keep on granting the opportunities time and again and that too at the cost of the other parties to the litigation.

6. No ground is made out for any interference called by this Court in the present civil revision petition.

7. Dismissed.

May 04, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No