

136 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:132085
CRM-M-48872-2023
Date of Decision: October 11, 2023

Bijender

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Abhimanyu, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is aggrieved by the order dated 18.08.2023 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Bhiwani, whereby prosecution evidence has been closed in case titled as “*State of Haryana v. Poonam*”, arising out of FIR No.482, dated 05.08.2018, under Sections 323, 341 and 506 of IPC, registered at Police Station City Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that petitioner is the complainant of the case and an eye witness. His examination-in-chief has already been recorded. He could not appear before the Trial Court for his evidence on 18.08.2023 due to sickness and that after recording that the prosecution had availed several opportunities, Court closed the evidence.

Learned counsel has referred to medical certificate (Annexure P-5) revealing that as on 16.08.2023, the petitioner was suffering from fever with loose motion and pain in abdomen.

This petition is hereby disposed of with a direction to the Trial Court concerned to provide one opportunity to the prosecution for completing the statement of the petitioner-complainant- Bijender and then

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proceed further in accordance with law. The Trial Court shall fix a date for
appearance of the petitioner for recording his statement.

October 11, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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