

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

282 (5)

CRM-M-57393-2022

Date of Decision.:10.04.2023

M/s Nikhil Footwear and Others

Petitioners

Vs.

M/s Chanda Paper Industry

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. C.S. Pasricha, Advocate with
Mr. Satinder Pal Singh, Advocate
for the petitioners.

DEEPAK GUPTA, J. (ORAL)

In the criminal complaint bearing CIS No.NACT-496/2019 titled as 'M/s Chanda Paper Industry Vs. M/s Nikhil Footwear', an application under Section 311 Cr.P.C. was moved on behalf of the accused to further cross-examine the complainant. The said application was dismissed by Learned Judicial Magistrate First Class, Faridabad on 14.07.2022. Revision against that order has been dismissed by Learned Additional Sessions Judge, Faridabad vide order dated 09.11.2022.

Upon notice of motion being issued in this petition, appearance has been made on behalf of respondent-complainant.

Learned counsel for the respondent submits that complainant-respondent has no objection to face further cross-examination on the part of the defence counsel. However, he made a request for time bound disposal of the matter, as complaint is quite old. He has further prayed that the same questions, which have already been asked, be not repeated in the further cross-examination of the complainant.

In view of the aforesaid concession made by learned counsel for the respondent-complainant, this petition is hereby disposed of with the direction to the Trial Court to allow further cross-examination of the complainant. One date only shall be fixed by the Trial Court for cross-examination of the complainant. In case, defence counsel fails to conclude the cross-examination on the date fixed, no further opportunity shall be granted.

Complainant is directed to appear on the date fixed or on any other date, which may be fixed by the Trial Court for his cross-examination, which should not be of more than one month period.

Disposed of.

April 10, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No