

2024:PHHC:053750
**141 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-622-2023(O&M)
Date of decision: 22.04.2024

Gurpreet Singh

....Petitioner

Versus

Santa Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Raman Mohinder Sharma, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

1. The petitioner before this Court has filed a suit for possession on the ground that he is the owner of the same. He examined PW3 Harjinder Singh, who was a marginal witness of the sale deed in favour of the plaintiff. He filed an application for declaring him as a hostile witness, which has been dismissed by the trial court on the ground that an unfavourable statement of the witness is not sufficient to term a witness as hostile.

2. Heard the learned counsel representing the petitioner at length and with his able assistance perused the paperbook.

3. Learned counsel representing the petitioner submits that the witness has stated that some part of the sale consideration is still payable by the petitioner.

4. This Court has considered the submissions made by the learned counsel representing the petitioner.

5. The witness can be termed as hostile if he tries to injure the case of a party by suppressing truth or taking an inconsistent stand. In

this case, the witness has stated that the sale deed was executed and he signed as a marginal witness.

6. Keeping in view the aforesaid facts, no ground to interfere is made out.

7. Hence, dismissed.

8. All the pending miscellaneous applications, if any, are also disposed of.

22.04.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE