

2024:PHHC:014404

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

117

CRR(F)-153-2024 (O&M)  
Date of Decision:02.02.2024

BHAWANI SHANKAR

....Petitioner(s)

Versus

MONIKA

.....Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Sahil Gupta, Advocate,  
for the petitioner.

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**SUDEEPTI SHARMA, J. (Oral)**

1. The present petition has been filed by the petitioner herein against order dated 13.12.2023 passed by the learned Principal Judge, Family Court, Bhiwani, Camp Court, Loharu, vide which the application under Section 311 of the Code of Criminal Procedure filed by the petitioner herein for conducting the cross-examination of the respondent-wife, has been dismissed.

2. Learned counsel for the petitioner contends that the cross-examination of the respondent was conducted on 01.06.2022 and on 11.10.2023 the respondent placed on record the affidavit regarding his assets and liabilities. He next contends that it is after the examination of the respondent that the affidavit has been filed by the respondent herein showing his assets and liabilities. He further contends that after filing of the said affidavit certain new facts have come on record and in the interest of justice, it is just and proper to decide the litigation before the learned Court below by granting one opportunity for further cross-examination of the respondent-wife.

3. I have heard learned counsel for the petitioner and perused the impugned order.
4. A perusal of the impugned order shows that since as per the order which is under challenge before this Court, the respondent herein was subjected to lengthy cross-examination wherein all the relevant facts were put to her and if the said cross-examination is compared with the affidavit which was filed by her afterwards before the Court below then it becomes crystal clear that no new facts have been introduced in the affidavit, rather all the relevant facts were in the knowledge of the petitioner and after considering those facts impugned order was passed.
4. In view of the above, I do not find any infirmity in the impugned order dated 13.12.2023 passed by the learned Principal Judge, Family Court, Bhiwani, Camp Court, Loharu. Consequently, the present petition is dismissed.
5. Pending applications, if any, also stand disposed of.

(SUDEEPTI SHARMA)  
JUDGE

February 02, 2024  
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|--------------------|---|--------|
| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |