



CR-6253-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CR-6253-2024  
Date of decision : 04.11.2024

Subhash Chander @ Subhash Bhargav

... Petitioner

Versus

Brahm Dutt Sharma

... Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr.Prateek Sodhi, Advocate  
for the petitioner.

Mr.Umesh Aggarwal, Advocate  
for the respondent.

**VIKAS BAHL, J.(ORAL)**

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 16.10.2024 (Annexure P-10) vide which the application preferred by the respondent has been allowed and further cross-examination of PW-4 has been closed.
2. On 25.10.2024, this Court was pleased to pass the following order:-

*“Learned counsel for the petitioner has submitted that only cross examination of PW4 in the present case remains and the said PW4 would appear on the next date of hearing as directed by the trial Court.*

*Notice of motion for 04.11.2024.*

*Liberty is granted to the petitioner to serve respondent through dasti process also as well as through counsel*



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*appearing before the trial Court.*

*The petitioner would get a demand draft of an amount of Rs.20,000/- prepared in the name of respondent on the next date of hearing.*

*To be shown in the urgent list.”*

*25.10.2024”*

3. Learned counsel for the petitioner has submitted that in pursuance of the above said order, the petitioner has brought the demand draft of Rs.20,000/- in the name of the respondent, which fact has been verified from the learned counsel for the respondent.

4. Learned counsel for the respondent has submitted that the petitioner has taken sufficient number of opportunities and in case one more last opportunity is granted, then the same would be full and final opportunity and that the case is fixed before the trial Court for 05.11.2024 and in case PW-4 does not appear on 05.11.2024, then the petitioner should not be granted the opportunity to rely upon the evidence of PW-4.

5. Learned counsel for the petitioner has submitted that the petitioner ensures that PW-4 would appear on 05.11.2024 for the purpose of cross-examination and in not any way would delay the cross-examination.

6. Keeping in view the above said facts and circumstances, the present petition is disposed of with liberty to PW-4 to appear before the trial Court on 05.11.2024, which is the next date fixed before the trial Court and in case said PW-4 appears on 05.11.2024 before the trial Court, the trial Court is directed to record the cross-examination of said PW-4 by granting opportunity to the learned counsel for the respondent to cross-examine the

said PW-4. The said cross-examination would either be conducted on



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05.11.2024 or on any date which is suitable to the trial Court and the learned counsel for the respondent. The said PW-4 would be present on 05.11.2024 as well as on the further date, if any, fixed by the trial Court.

7. It is made clear that in case said PW-4 does not appear on 05.11.2024, then the present revision petition would be deemed to have been dismissed.

(VIKAS BAHL)  
JUDGE

November 04, 2024.  
*Davinder Kumar*

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |