



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

122

CRM-M-13135-2025**Date of decision: 17.03.2025****SIMARJEET KAUR**

....Petitioner

V/s

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.

H.S.GREWAL, J. (ORAL)

Prayer in the present petition filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is for quashing of order dated 09.01.2025 passed by the Judicial Magistrate, Ist Class, Amritsar in case FIR No.70 dated 08.05.2018 under Sections 228-A, 506, 509 of the IPC registered at Police Station Sultanwind, District Police Commissionerate Amritsar.

It is contended by learned counsel for the petitioner that the petitioner, who is complainant in the aforementioned FIR, had appeared and her examination-in-chief was not concluded due to her ill health and it was deferred to 03.07.2023. However, inspite of more than a dozen of opportunities granted, the petitioner had failed to get her examination-in-chief completed. Now, the case is fixed for recording of the statement of the accused under Section 313 Cr.P.C. At this stage, the petitioner prays for one opportunity for getting herself examined, however, subject to payment of costs.



Notice of motion.

On the asking of the Court, Mr.Amandeep Singh Samra, AAG, Punjab, accepts notice for respondent No.1. As regards, respondent No.2, no useful purpose would be served by issuing notice to respondent No.2 as the same would entail unnecessary burden on him and also result in prolonging the proceedings.

Be that as it may, keeping in view that the evidence of the petitioner is crucial to decide the matter, order dated 09.01.2025 is set aside and one last opportunity is granted to the petitioner to appear before the trial Court on the date fixed in this case i.e. 18.03.2025 and get herself examined. Her cross-examination shall also be concluded on that very date or on the next date fixed by the trial Court. The trial Court shall grant her only one opportunity for concluding her examination-in-chief, however subject to payment of Rs.30,000/- as costs, to be deposited with the District Legal Services Authority concerned.

In case the petitioner fails to appear before the Court below on the next date, this order shall become redundant.

The petition stands allowed.

March 17, 2025
poonam

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No