



CRM-M-17425-2025

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

CRM-M-17425-2025

Date of Decision: 02.04.2025

Navjit Singh @ Navjeet Singh
Versus

..... Petitioner

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gagan Oberoi, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 11.03.2025, passed by learned JMIC, SAS Nagar, Mohali in FIR No.237, dated 29.09.2018 under Sections 406, 420 and 120-B IPC, registered at Police Station Sohana, District SAS Nagar, Mohali, whereby, the defence evidence of the petitioner has been illegally closed.

2. It has been contended by learned counsel for the petitioner that the petitioner is the accused in the said FIR and the trial is under progress. He submits that the petitioner is facing prosecution since the year 2018. It is submitted that the prosecution evidence was closed on 14.02.2025 and thereafter, it was the petitioner who was to lead his defence evidence, however, no sufficient opportunity was granted to him and his evidence was closed vide impugned order dated 11.03.2025. He has fairly submitted that the petitioner is facing prosecution in 86 cases and all the witnesses to be examined by him in the present case are the official witnesses. He submits that learned trial Court has fallen in error in closing the evidence of the petitioner by passing impugned order.

3. Notice of motion to the official witnesses only.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and has submitted that defence evidence of the petitioner



was rightly closed by order by the trial Court as the present case pertains to the year 2018 and the petitioner was adopting delaying tactics.

5. After hearing learned counsel for the parties, it is inferred that the petitioner is facing trial since the year 2018. As submitted before this Court, prosecution evidence was closed on 14.02.2025 and thereafter, vide impugned order dated 11.03.2025, defence evidence of the petitioner has been closed. Thus, it is clear that evidence of the petitioner was closed after about one month of the closing of the evidence by the prosecution. Keeping view of the attending circumstances of the present case, this Court is of the opinion that the petitioner deserves to be granted sufficient opportunities for examining his witnesses in order to prove his innocence. As submitted before this Court, all the witnesses to be examined in defence are official witnesses and are to be summoned by the Court. Thus, the present petition is allowed and the impugned order dated 11.03.2025 is set aside.

6. The trial Court is directed to grant three effective opportunities to the petitioner for leading his defence evidence by examining the witnesses, which are stated to be official ones and the trial Court will ensure the presence of the witnesses sought to be examined by the petitioner by issuing summons etc. However, it is being made clear that in case the petitioner is found misusing the opportunities granted to him and is found prolonging the trial, the trial Court would be at liberty to pass an appropriate order as it deems fit.

02.04.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No