

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

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**CRM-M-50334-2025
Date of decision: 29.10.2025**

GAYENDER KUMAR TIWARI

.... PETITIONER(S)

VERSUS

RANJIT SINGH

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ravinder Rana, Advocate
for the petitioner(s).

Mr. Satyaveer Singh, Advocate and
Mr. Abhyudaya Paliwal, Advocate
for the respondent.

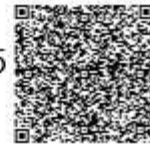
JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 528 of BNSS, 2023 is for quashing of the order dated 07.08.2025 passed by the learned Judicial Magistrate Ist Class, Chandigarh in case NACT No.4459, dated 25.05.2021 titled as Ranjit Singh Vs. Gayender Kumar Tiwari under Section 138 of NI Act.

2. The learned counsel for the petitioner contends that on account of the fault of the defence counsel, the petitioner-accused/Gayender Kumar was unable to lead any evidence in defence. Because of the said fact, the evidence of the accused was closed by Court order. He seeks one more opportunity to produce his defence evidence.

3. The learned counsel for the complainant, on the other hand, contends that multiple opportunities were given to the petitioner-accused to

lead defence evidence. However, for reasons best known to him but with a



view to delay the conclusion of the trial, he has not led any evidence in defence and therefore the impugned order has been rightly passed and the present petition is liable to be dismissed.

4. I have heard learned counsels for the parties.

5. The purpose of a trial is that the unvanishing truth is brought before the Court. For the said purpose, if the accused wishes to lead evidence in defence, he may be granted one opportunity particularly in the attending facts and circumstances when no irreparable loss would be caused to the complainant/Ranjit Singh.

6. In view of the above, the impugned order dated 07.08.2025 passed by the learned Judicial Magistrate Ist Class, Chandigarh, stands quashed, subject to a payment of Rs.10,000/- as costs to the complainant/Ranjit Singh.

7. The petitioner-accused/Gayender Kumar is granted one more opportunity to lead evidence in his defence.

8. Pursuant to the same, the Trial Court is directed to conclude the Trial not later than 08 weeks.

29.10.2025

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(JASJIT SINGH BEDI)
JUDGE

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