

**CRR-2668-2023****1****202****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRR No.2668 of 2023**

Date of decision: 07.05.2025

Lakhwinder Singh

.... Petitioner

Versus

Ranjit Singh

.... Respondent

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

Present: Mr. Jashan Sekhon, Advocate for
Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Sanjeev Kumar, Advocate for the respondent.

H. S. GREWAL, J. (ORAL)

1. The instant petition has been filed challenging impugned order dated 17.10.2023 passed by Judicial Magistrate Ist Class, Faridabad in a complaint case No. NACT/8760/2018 titled as “Lakhwinder Singh Vs. Ranjeet Singh etc.” under Sections 138 and 142 of Negotiable Instruments Act read with Section 420 IPC whereby application under Section 311 Cr.P.C. filed on behalf of the complainant-petitioner was dismissed.

2. Learned counsel for the petitioner submits that the petitioner had moved an application under Section 311 Cr.P.C. for getting himself re-examined as well as for producing the bank statements of two accounts, out of which one is being run by the petitioner and another is in the name of the firm to prove his financial capacity as well as to show the nature of Company in question being a proprietorship concern. Learned counsel for the petitioner further states that the

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question of fact and law has come up during his cross examination, therefore, he needs to get himself re-examined as a witness, to prove his financial capacity.

3. I have heard learned counsel for the parties at length.

4. After going through the facts of the case as well as considering the fact that the petitioner seeks to get himself re-examined as a witness in order to prove his financial capacity, this Court deems it fit to grant one opportunity to the complainant-petitioner to prove his case before the trial Court concerned.

5. Keeping in view the facts and circumstances of the case and prayer made by the learned counsel for the petitioner, the order dated 17.10.2023 is set aside and the complainant-petitioner is permitted to appear before the trial Court concerned to get himself re-examined and to produce record of the bank accounts as mentioned in the application only for one date so fixed by the trial Court subject to payment of Rs.10,000/- as costs to be paid to the District Legal Services Authority concerned, by the petitioner. However, no further adjournment shall be granted to the petitioner for the purpose of re-examination of complainant-petitioner and to produce the bank statements record.

7. Accordingly, the petition stands allowed.

(H.S.GREWAL))
JUDGE

07.05.2025*Sonia Puri*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No