



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

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CRM-M-54565-2025 (O&M)

Date of Decision:- 26.09.2025

Pardeep Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. Present petition has been filed by the petitioner under Section 528 of BNSS for quashing the impugned order dated 10.07.2025 passed in FIR bearing No.130 dated 19.05.2017 registered under Sections 408, 420 of IPC (wherein offence under Sections 467, 468, 471 and 120-B of IPC added later on) at Police Station Bhiwani Civil Lines, District Bhiwani, vide which application filed by the petitioner/complainant through Public Prosecutor under Section 348 BNSS, 2023 for examination of material witnesses was partly allowed.

2. After perusing the impugned order passed by the trial Court, this Court finds that the said order is well justified. The trial is pending since 2017 and was fixed for recording of prosecution evidence since 19.3.2018 and the prosecution evidence was closed on 17.02.2025, however, application under Section 348 of BNSS for recalling PW-9 i.e. ASI Sanjay and for examination



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of other witnesses was filed on 02.06.2025. During such period, no application was filed by the petitioner to examine such witnesses. Section 348 BNSS, 2023 is a provision to strengthen the arms of the Court in its efforts to unearth the truth. However, the discretionary power vested under Section 348 BNSS, 2023 has to be exercised judiciously for strong and valid reason and with caution and circumspection to meet the ends of justice. Such kind of application cannot be allowed to fill up the lacuna by examining the witnesses who were never arrayed in the list of witnesses. The trial Court’s order dated 10.07.2025 is well justified in dismissing the said application in respect of examination of the witnesses, which were not mentioned in the list of witnesses.

3. The inherent jurisdiction, though wide and expansive, should be exercised sparingly, carefully and with caution and only when such exercises justified by the tests specifically laid down in the Section itself. Intervention in the trial Court’s order does not seem to be justified as it would lead to stifle the legitimate prosecution by filling up the lacuna by the prosecution.

4. Keeping in view the impugned order passed by learned Chief Judicial Magistrate, Bhiwani, this Court finds no merit in the present petition, hence, the present petition stands dismissed.

26.09.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No