



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

139

CRM-M-4948-2025 (O&M)
Date of Decision:- 29.01.2026

Tribhuwan Kumar Parnami ... Petitioner

Versus

Tripta Mehta ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Punit Malik, Advocate,
for the petitioner.

Mr. Rajesh Sethi, Advocate with
Ms. Preeti Goyal, Advocate,
Mr. Arun Biriwal, Advocate and
Mr. Anshuman Sethi, Advocate,
for the respondent.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 528 of BNSS for quashing of the impugned order dated 13.12.2024 (Annexure P-2), vide which learned trial Court has closed the evidence of complainant by recording the cross examination as 'Nill' in a complaint under Section 138 of NI Act bearing No.NACT-9229-2018 dated 04.05.2018.

2. Learned counsel for the petitioner contended that initially respondent-Tripta Mehta was the complainant and she authorized one Mr. Bimal Bedi through the special power of attorney and later on, said Bimal Bedi substituted with Mr. Bedi Akshay and Mr. Akashay Bedi requested for his examination/evidence through a whatsapp video call mentioning that he is



CRM-M-4948-2025 (O&M) (2)

presently residing at Brampton, Ontario, Canada and the Ld. Trial Court permitted evidence of the complainant/ present respondent through whatsapp video call and the counsel for the present petitioner/ accused objected the same by having some confusion regarding his identity and due to the same, the counsel for the present petitioner requested for an adjournment but the Ld. Trial Court recorded the cross examination as nil and further adjourned the matter for recording of the statement of the accused under Section 313 Cr.P.C. Learned counsel prayed that the defence can only be put during the cross examination of the complainant, therefore, one more opportunity may be granted to the petitioner/accused to cross examine the complainant.

3. Learned counsel for the respondent submits that the case was adjourned for cross-examination time and again. Further the complainant witness was permitted to appear through VC vide order dated 22.11.2024, but the defence has failed to cross examine the complainant witness on date fixed.

4. This Court has heard the learned counsel for the parties and perused the orders passed by the trial Court.

5. The operative part of the impugned order dated 13.12.2024 is reproduced as under:-

“... ”

2. *The present complaint pertains to year 2018. The case was adjourned for cross-examination on 04.10.2024, 07.11.2024, 22.11.2024 and today 28.11.2024. Further complainant witness was permitted to appear through VC vide order dated*



CRM-M-4948-2025 (O&M) (3)

22.11.2024. In view of the above, as defense failed to produce any order of stay by any superior Court on present proceeding, hence this court is bound to advance proceeding. Hence the request for adjournment is declined.

3. ...

4. *Complainant witness Akshay Bedi appeared through whatsapp call. The ID of the witness is confirmed in presence of accused and his counsel. Further it is also ensured that the background of the witness and room area is clearly visible in the frame of the video to rule out any possibility of tutoring, threat, fear, or duress. The examination-in-chief of the witness is recorded. Accused and his counsel were given an opportunity to cross examine the witness but they did not opted to cross-examine the witness. So the cross examination is recorded as NIL and evidence of witness Akshay Bedi is concluded. The evidence of witness is counter signed by the counsel of the complainant as well as counsel of the accused. A copy of the statement has been given to counsel of complainant with the direction to get the same signed by witness Akshey Bedi and to produce the same on record.*

Now, to come upon 17.12.2024 for recording statement of accused u/s 313 Cr.P.C.”

6. Perusal of record shows that opportunity was given to the petitioner and his counsel to cross-examine the witness, but he did not opt to do so, moreso, they have also signed the statement in examination-in-chief of the prosecution witness which is deposed before learned Trial Court. Thereafter, statement under Section 313 Cr.P.C. was recorded on 17.12.2024, and case was fixed for defence evidence. Even defence evidence was also



CRM-M-4948-2025 (O&M) (4)

closed on 09.01.2025 and case was then fixed for documentary defence evidence, which was also closed vide order dated 29.01.2025. The present petition is filed on 27.01.2025 i.e. with an inexplicable delay.

7. Taking into consideration the cumulative effect of the facts and circumstances, this Court finds no merit in the present petition, accordingly, the same is dismissed.

29.01.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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