



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

(119)

**CRR(F)-542 of 2026
Date of Decision: 10.04.2026**

Pardeep Yadav

.....Petitioner

Versus

Monu Yadav

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Virat Rana, Advocate
for the petitioner.

KIRTI SINGH, J. (ORAL)

1. Challenge in the present petition is to the order dated 12.02.2026 passed by the learned Principal Judge, Family Court, Jhajjar wherein proceedings under Section 125 Cr.P.C., the application filed by the petitioner for cross-examination of the respondent was dismissed.

2. Learned counsel for the petitioner inter alia submits that after a matrimonial dispute ensued between both the petitioner and the respondent, the latter filed an application under Section 125 Cr.P.C., wherein she duly recorded her evidence-in-chief, and thereafter abruptly closed her evidence by way of a separate statement, the petitioner immediately moved an application for her cross-examination seeking to challenge the veracity of unfounded claims, which was dismissed by the learned trial Court, citing that the proceedings were summary in nature and so, cross-examination could not be permitted. It is submitted that by doing the same, the learned Family Court has in effect denied the petitioner his fundamental right to a fair trial.

3. The present petition is being decided in limine in order to save



litigation cost of the respondent and also to save the judicial time of the Court.

4. Trite to say that a fair trial is one of the basic tenets of criminal jurisprudence and natural justice. The right to plead a defence against any accusation or claim laid against a person, including the right to cross-examine, is a fundamental principle of jurisprudence. The same being a cherished legal remedy as well as a principle of natural justice, ought not to be tinkered with as a matter of routine. Every person must be given due opportunity to contest any evidence presented against him. Though proceedings under Section 125 Cr.P.C. are summary in nature, aimed at providing quick redressal to the aggrieved party, yet the same cannot be carried out in a manner which infringes the rights of the other side.

5. Accordingly, in the interest of justice, the instant petition stands allowed. The order dated 12.02.2026 passed by the learned Principal Judge, Family Court, Jhajjar is set aside, and the petitioner is granted one effective opportunity to cross-examine the respondent.

6. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

10.04.2026

Ritika

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