



CRM-45664-2018 (O&M) -1-

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

120

**CRM-M-45664-2018 (O&M)
Decided on: 12.02.2026**

KAPIL BATRA

.....Petitioner

Versus

PAWANDEEP SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. R.S. Bajaj, Advocate
for the petitioner.

Mr. Baljinder Singh, Advocate for the respondent.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 482 of Cr.P.C. for quashing of impugned order dated 19.07.2016 (Annexure P-1) in a complaint (Annexure P-4) under Section 138 of Negotiable Instrument Act, 1881 titled as 'Pawandeep Singh Vs. Kapil Batra Film Production House Private Limited' bearing No.NACT-1679/2014 vide which learned trial Court has dismissed the application (Annexure P-2) filed by the petitioner for recalling of witness CW-1 and the order dated 04.10.2018 (Annexure P-6) passed by learned Additional Sessions Judge, Jalandhar whereby the revision filed by the petitioner has been dismissed.



2. Learned counsel for the petitioner submitted that on 08.07.2016, the hearing of the case was fixed for cross examination of the complainant i.e. CW-1 and his cross examination started before lunch and since the lunch break came up, a request for deferring the cross examination was made by the petitioner-accused and the same was allowed for post-lunch session, however, due to typographical error or oversight of steno of learned trial Court, the cross examination was written as or deemed to be concluded by the steno, therefore an application was moved by the petitioner on same day, which was fixed for filing of reply and the same was dismissed. Thereafter a revision was filed which was also dismissed by learned Additional Sessions Judge, Jalandhar vide order dated 04.10.2018.

3. Learned counsel for the complainant contended that the petitioner-complainant was partly cross-examined on 21.05.2016 and thereafter, he was cross-examined on 08.07.2016 at length. On the same day, the petitioner moved an application for recalling of witness-respondent which was declined by the trial Court. It is further contended that the petitioner-accused is a lawyer having 30 years of practice and was aware that the cross examination of the witness-respondent has been concluded which can be inferred from the fact that in the last portion of cross examination, it shows that suggestions have been given by the petitioner-accused to the witness-respondent which are generally given while concluding cross-examination of witness and the application was



filed just to delay the proceedings and as such, prayed for dismissal of the present revision petition.

4. Heard.

5. Keeping in view the aforesaid facts and circumstances of the present case and the rival contentions raised by learned counsel for the parties, two effective opportunities have been given by the trial Court to the petitioner-accused for cross-examination of the witness-respondent; the fact that suggestions have also been given by the petitioner-accused to the respondent-witness in the last portion of the cross-examination, which are generally given by counsels while concluding cross-examination, negates the contentions raised by learned counsel for the petitioner, so this Court does not find any merit in the present petition, hence the same is hereby dismissed.

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

(SUBHAS MEHLA)
JUDGE

12.02.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO