

2025:PHHC:097249



CRM-M-48714-2023 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(266)

CRM-M-48714-2023 (O & M)
Date of decision: 31.07.2025

Tara Singh

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Harnanak Singh, Advocate,
for Mr. G.S. Sandhu, Advocate, for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

Mr. M.K. Singla, Advocate, for
respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of order dated 12.09.2023 passed by the Judicial Magistrate Ist Class, Sunam (P-4) vide which the application under Section 311 Cr.P.C. to summon material witnesses in FIR No.15 dated 15.03.2017 under Sections 324, 427 IPC registered at Police Station Cheema, District Sangrur (Section 325 IPC was added vide order dated 07.11.2017) has been dismissed.

2. The learned counsel for the complainant-petitioner contends that as per Section 311 Cr.P.C. the Court has ample powers to summon a witness in the interest of justice and for the just adjudication of the case.



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Therefore, one opportunity be granted as per the application under Section 311 Cr.P.C. (Annexure P-2).

3. The learned counsel for the accused-respondent No.2 submits that the prosecution sought ample opportunities to conclude its entire evidence and it was only later vide order dated 16.08.2023 was the prosecution evidence closed. Therefore, the present petition is liable to be dismissed.

4. I have heard the learned counsel for the parties.

5. Without going into the rival claims and counter-claims of both the parties, suffice it to say that one opportunity can be granted to the complainant-petitioner/prosecution to examine the relevant witnesses as per the application under Section 311 Cr.P.C. subject to a deposit of Rs.15,000/- with the District Legal Services Authority, Sangrur.

6. On the completion of recording of the statements of these witnesses, the Trial Court shall conclude the Trial within a period of three months thereafter.

7. The present petition stands disposed of in the above terms.

July 31, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No