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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-46363-2025

Date of Decision: 25.08.2025

MADAN LAL ALIAS MADDI

... PETITIONER

VERSUS

JASVIR SINGH

....RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Amit Dhawan, Advocate  
for the petitioner.

**SUBHAS MEHLA, J. (ORAL)**

The instant petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS, 2023') seeking quashing of the impugned order dated 25.07.2025 passed by the learned JMIC, Jalandhar (Annexure P-8) in complaint case filed under Section 138 of the Negotiable Instruments Act whereby the application of the peititoner under Section 348 BNSS for recalling the complainant Jasvir Singh for his cross examination has been dismissed.

2. Learned counsel for the petitioner contends that the petitioner's counsel before the Court below did not cross examine the complainant, leading the cross examination as 'Nil'. The trial Court also dismissed his application filed under Section 348 BNSS seeking recalling of the complainant. He prays for one opportunity to examine the complainant as



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complainant is material witness and his non-examination caused injustice to petitioner.

3. Heard.

4. Considering the facts of case in hand, in the interest of justice, the order dated 25.07.2025, Annexure P-8, is set aside and the petitioner is granted only one last opportunity for recalling the witness/complainant for cross examination subject to payment of Rs. 5000/- to the District Legal Service Authority (DLSA) concerned. He shall also bear the expenses for the presence of witness/complainant as to be fixed by the trial Court. It is, however, made clear that in case he failed to do so, no further opportunity shall be granted for the same purpose.

25.08.2025

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**(SUBHAS MEHLA)**  
**JUDGE**

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*