



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

324

CR-6248-2023

Date of decision : 19.05.2025

Gurbachan Singh**..... Petitioner****versus****Avinash Chandna****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Nirbhay Garg, Advocate
Mr. Amrinder K. Garg, Advocate and
Mr. Ram Bhati, Advocate
for the petitioner.

Mr. Karan Vir Nanda, Advocate
for the respondent.

PANKAJ JAIN, J. (Oral)

1. Challenge is to the order dated 10.08.2023, whereby cross examination of PW1 Avinash Chandna PW4 Neeraj Chandna and PW5 Dinesh Kumar has been ordered to be treated nil.

2 On 10.08.2023, the witnesses appeared for cross examination in the Court room session. Following order was passed:-

“Today the case was fixed for cross-examination of PW1 Avinash Chandna, PW4 Neeraj Chandna and PW5 Dinesh Kumar. Witnesses have appeared but not cross-examined by counsels for defendant. Counsels for defendant have stated that they will cross-examine the witnesses after lunch. So, let file be put up after lunch for today itself.”

3. Thereafter, they appeared in afternoon session as well. However, counsel for the defendant remained unavailable and the witnesses could not be cross examined. From the records, it is discernible that the defendant failed to cross examine the witnesses



despite there being repeated opportunities granted to them.

4. Be that as it may, this Court finds that even though there is no cogent reason to grant further opportunity to the defendant to cross examine PW1, PW4 and PW5, however, in the interest of justice, one last opportunity is granted to the defendant to cross examine PW1, PW4 and PW5 on the next date of hearing, stated to be **22.05.2025**, subject to payment of cost of Rs.5000/- each to be paid to the witnesses.

5. Disposed off, accordingly.

(PANKAJ JAIN)
JUDGE

19.05.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No