



CRR-743-2025 (O&amp;M)

-1-

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

119

CRR-743-2025 (O&amp;M)

Date of decision : 20.03.2025

Sunil Kumar

... Petitioner

Versus

Ombir

.. Respondent

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Deepender Pratap Singh, Advocate for the petitioner.

\*\*\*

**H.S. Grewal, J.(Oral)****CRM-11417-2025**

Allowed as prayed for.

**Main case**

1. In the present revision petition, the petitioner has challenged the order dated 01.03.2025 passed by the learned Additional Chief Judicial Magistrate, Nuh, whereby cross-examination of respondent/complainant has been treated as Nil and the application filed by the petitioner's counsel for adjournment and seeking exemption from personal appearance on account of ill-health has been dismissed.

2. Learned counsel for the petitioner contends that the petitioner has been facing proceedings under Section 138 of the Negotiable Instruments Act before the trial Court in a complaint case bearing No.NACT/167/2020. During the proceedings, the petitioner had to cross-examine the respondent/complainant and the case was fixed for 04.04.2025. However, it was taken up

**CRR-743-2025 (O&M)****-2-**

on 31.01.2025 and adjourned to 14.02.2025 whereon the petitioner was not present, although counsel for the petitioner was present and had sought exemption for personal appearance of the petitioner on that date and the case was adjourned to 01.03.2025. Thereafter, on 01.03.2025, the petitioner was present but his counsel was ill and he had requested for an adjournment but the same was rejected and the cross-examination of the respondent-complainant was treated as Nil by the impugned order.

3. I have heard the learned counsel for the petitioner and have carefully gone through the material available on record.

4. In view of the limited prayer made by the learned counsel for the petitioner, this Court deems it appropriate to decide this case without issuing notice to the respondent. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, the order dated 01.03.2025 is set aside and the petitioner is granted one opportunity to cross-examine the complainant on the date so fixed by the trial Court subject to payment of Rs.5,000/- as costs to be paid to the respondent/complainant by the petitioner. However, no further adjournment shall be granted to the petitioner for cross-examination of the respondent/complainant.

5. Accordingly, the petition stands allowed.

**(H.S.GREWAL)**  
**JUDGE**

**20.03.2025**  
A.Kaundal

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