

CNR No:CHCH030301212023 CASE No:NACT-8244-2023

PARDEEP KUMAR Vs PULKIT MARCHUNIA

Present: Sh.DILSHAD SINGH GILL Adv for the complainant

None for the accused

Today the case was fixed for cross-examination of complainant. CW-1 i.e. complainant Pardeep Kumar is present, but neither accused is present nor anyone on his behalf is present before the court. The learned counsel for the complainant has also moved an application under Section 436 (2) CRPC for cancellation of bail of the accused and for issuance of nonailable warrants of arrest in view of the fact that the accused has been declared as a proclaimed person by the competent court. Let the file again taken up after lunch.

Date of Order: 11.08.2026
Parveen, Steno III

(Jasbeer Singh)
Judicial Magistrate Ist Class,
Chandigarh
UID No . PB00490

Present: Sh.DILSHAD SINGH GILL Adv for the complainant

Sh Amritveer Singh Adv for the accused

File taken up again at 3.00 PM. CW-1 complainant is present and Sh Amritveer Singh Advocate has come present on behalf of the accused and moved an exemption application from personal appearance of the accused for today and further submitted he was engaged on the last date of hearing and one adjournment may kindly be granted and he will cross examine the complainant on the next date of hearing. The said prayer is vehemently opposed by the learned counsel for the complainant stating that on 29.05.2026, accused suffered statement before this court wherein he undertook to cross-examine the complainant on the next date of hearing failing which the cross-examination of the complainant be treated as NIL and as such, he prayed for treating the cross-examination of the complainant as NIL.

The perusal of the file shows that several opportunities have been granted to the accused for cross-examination of the complainant. The complainant has remained present on each and every date for his cross-examination, but accused has failed to avail the opportunities granted by the court. It is pertinent to mention that on 29.05.2026, accused himself appeared in the court and stated that he was unable to contact his counsel and he specifically made a statement that he may kindly be granted one last opportunity for cross-examination of the complainant and undertook to cross-examine the complainant on the next date of hearing failing which the cross-examination of the complainant be treated as NIL. Today, despite the aforesaid undertaking accused has again failed to appear and learned counsel for the accused has sought one more opportunity to cross-examine the complainant. It is further brought to the notice of this court that in complaint NACT No.945 of 2023 titled as PP Engineering Works versus Pulkrit Marchunia pending before the court of Learned JMIC

Panchkula, the accused has already been declared proclaimed person vide order dt. 06.07.2026.

This court finds that accused has already been given sufficient opportunities and in normal circumstances no further adjournment is called for. However, in the interest of justice and in order to afford the accused one final opportunity to participate in the proceedings, the present request for exemption from personal appearance of accused is allowed for today only. Learned counsel for the accused is directed to cross-examine the complainant on the next date of hearing. It is further made clear that no further opportunity for cross-examine the complainant will be granted to the accused. The accused is directed to appear personally before the court on the next date of hearing. In case of his failure to appear or failure to conduct the cross-examination of complainant despite his presence, this court shall proceed in accordance with the law. Arguments/consideration on the application moved by Learned counsel for the complainant under Section 436 (2) CrPC be also heard on the next date of hearing i.e. 05.09.2026.

Date of Order: 11.08.2026
Parveen, Steno III

(Jasbeer Singh)
Judicial Magistrate Ist Class,
Chandigarh
UID No . PB00490