



2026:PHHC:046425

2026:PHHC:046425



167

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

--

**CRM-M-14832-2026 (O&M)
Date of Decision : 24.03.2026**

Gurmeet Singh

....Petitioner

VERSUS

State of Punjab and Another

....Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Yogesh Goel, Advocate for the petitioner.

Mr. H.S.Wadhwa, DAG, Punjab.

--

MANDEEP PANNU J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned order dated 11.11.2025 (Annexure P-10) to the extent of non-examination of official witness from the office of Birth and Death Registrar, Ferozepur and impugned order dated 10.03.2026 (Annexure P-12) whereby application for recalling of the said order and for examining the said witness has been dismissed, in case FIR No. 129 dated 25.07.2013 registered under Sections 420, 465, 471 IPC (corresponding Sections 318(4), 336(2) and 340 (2) under BNS, 2023) at Police Station Zira, District Ferozepur.

2. Learned counsel for the petitioner has contended that during the pendency of the trial, an application dated 27.03.2025 under Section 348 BNSS (earlier Section 311 Cr.P.C.) was moved for summoning official witnesses from the office of Deputy Commissioner, Ferozepur and the Birth and Death Registrar, Ferozepur in respect of record pertaining to Token No.

**CRM-M-14832-2026 (O&M)**

56508/2013 dated 29.04.2013 and Token No. 67680/2013 dated 24.05.2013, as well as corresponding official records. The said application was allowed vide order dated 16.10.2025, however, only one witness was examined and the other official witness from the office of Deputy Commissioner, Ferozepur was not examined. It is further contended that despite issuance of summons, the said witness was not served and the learned Trial Court failed to adopt coercive steps for securing his presence. It is argued that the Trial Court wrongly proceeded to record the statement of the accused and closed the prosecution evidence without examining the said material witness, thereby causing serious prejudice to the case of the petitioner. It is further submitted that the application for recalling the order and for granting further opportunity to examine the said witness has been wrongly dismissed vide order dated 10.03.2026, despite the fact that the evidence of the said witness was essential for just decision of the case.

3. Matter being short in question, no notice is issued to the respondents/accused.

4. Having heard learned counsel for the petitioner and perused the record, this Court finds no merit in the present petition.

5. It is evident from the record that the application moved by the petitioner for summoning official witnesses was duly allowed by the learned Trial Court and sufficient opportunities were granted to the prosecution to lead its evidence. The record further reflects that the relevant documents pertaining to Token No. 56508/2013 and Token No. 67680/2013 had already been produced and exhibited on record through the concerned official who appeared before the Court. The non-examination of another official witness,

**CRM-M-14832-2026 (O&M)**

in the given circumstances, cannot be said to have caused any material prejudice, particularly when the documents sought to be proved already stood exhibited. It is also apparent that despite grant of adequate opportunities, the prosecution failed to ensure the presence of the remaining witness. The learned Trial Court cannot be faulted for closing the evidence when sufficient and effective opportunities had already been granted. Rather, the record shows that even after closure of prosecution evidence, the Court had afforded additional opportunities to the prosecution to lead further evidence, which were not availed effectively. Further, it cannot be overlooked that there existed directions for expeditious disposal of the trial, and therefore, the learned Trial Court was justified in proceeding with the matter in a time-bound manner. The impugned orders do not reflect any haste or arbitrariness, but rather show a balanced approach between granting opportunity and ensuring timely progress of the trial.

6. In view of the above, no illegality, perversity or jurisdictional error is found in the impugned orders passed by the learned Trial Court warranting interference by this Court in exercise of its inherent powers.

7. Accordingly, the present petition is dismissed

8. Pending application(s), if any, is/are disposed of.

March 24, 2026
tripti

(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No