



2026:PHHC:061264

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

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**CRM-M-21936-2026
Date of Decision:-22.04.2026**

PRIYANKA

.....PETITIONER

VS.

JASVINDER SINGH RANA

.....RESPONDENT

CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Jain, Advocate for the petitioner(s).

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the present petition under Section 482 Cr.P.C. (now 528 BNSS) is for the quashing of the order dated 10.03.2026 passed by the Judicial Magistrate Ist Class, Gurugram in criminal complaint NACT CC No.25540 of 2019 titled as 'Jasvinder Singh vs. Priyanka', whereby the witness summoned by the petitioner through an application under Section 311 Cr.P.C. was requested to be given up but the Trial Court has decided to examine the said witness.

2. The learned counsel for the accused-petitioner (hereinafter known as the petitioner) contends that the petitioner had summoned Aman Kataria, Assistant Manager of UCO Bank, South City, Sector-45, Gurugram, to be examined in defence. However, he gave up the examination of the said witness. Nevertheless, the Trial Court, vide the impugned order, decided to examine the said witness observing that he had been given up by the petitioner as he was not likely to support his case. Therefore, the impugned order is liable to be quashed.



3. I have heard learned counsel for the petitioner.
4. Admittedly, Aman Kataria, Assistant Manager of UCO Bank, South City, Sector-45 Gurugram, was summoned to depose in Court by the petitioner. For reasons best known, the petitioner gave up the witness and chose not to examine him. The Trial Court, however, invoking its powers under Section 311 Cr.P.C., has decided to examine the said witness as it felt that it was essential for the just adjudication of the case.
5. Section 311 Cr.P.C. reads as under:-
- “Any Court may, at any stage of any inquiry, trial or other proceeding under this Code, summon any person as a witness, or examine any person in attendance, though not summoned as a witness, or recall and re-examine any person already examined; and the Court shall summon and examine or recall and re-examine any such person if his evidence appears to it to be essential to the just decision of the case.”*
6. In view of Section 311 Cr.P.C., the Trial Court is well within its jurisdiction to examine any witness which it considers essential for the just adjudication of the case.
7. Therefore, I find no merit in the present petition and the same stands dismissed.
8. All the pending miscellaneous applications, if any, stand disposed of.

22.04.2026

Kusum

(JASJIT SINGH BEDI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>