



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>CRLR/636/2026</u> Sahil Quraishi --Revisionist Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Raj Kumar Singh, Advocate for the revisionist. Mr. Pradeep Lohani, A.G.A. for the State of Uttarakhand. 2. This Criminal Revision has been filed by the revisionist challenging the order dated 21.07.2026 passed by learned Juvenile Justice Board, Dehradun in Inquiry No.65 of 2025, whereby the application moved by the revisionist under Section 348 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking recall of P.W.1 for the purposes of cross-examination has been rejected. 3. Learned counsel for the revisionist submits that the statement of P.W.1 was recorded on 09.09.2025; however, on the said date, learned counsel for the revisionist could not appear before the learned Juvenile Justice Board on account of illness and, consequently, the opportunity to cross-examine P.W.1 was closed on the same day. It is submitted that thereafter, on 16.09.2025, learned counsel for the revisionist moved an application seeking permission to cross-examine P.W.1 and, along with the said



		application, also placed the relevant medical documents on record. Learned counsel submits that the said application remained pending consideration and, by the impugned order, the same has been rejected on the ground that application is not supported by any medical evidence. It is further submitted that the medical documents had, in fact, been filed along with the application dated 16.09.2025 and were taken on record by the learned Juvenile Justice Board. It is contended that denial of an opportunity to cross-examine P.W.1 would seriously prejudice the defence of the revisionist and would adversely affect his right to effectively contest the inquiry. Learned counsel further submits that, as many as 48 dates have been fixed before the learned Juvenile Justice Board, out of which the prosecution has itself sought adjournments on 28 occasions. 4. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court is of the view that an effective and reasonable opportunity to cross-examine a prosecution witness is an important facet of a fair inquiry. The right of cross-examination cannot ordinarily be denied where the failure to avail such opportunity is shown to have occurred for reasons beyond the control of the party, particularly when the request for recall has been made at the earliest available opportunity and is supported by material placed on record. 5. In the facts and circumstances of the present case, the explanation furnished by learned counsel for the revisionist for his absence on 09.09.2025, coupled with the fact that an application seeking recall of
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			P.W.1 was moved shortly thereafter, merits consideration in the interest of justice. At the same time, the proceedings before the learned Juvenile Justice Board cannot be permitted to be unnecessarily delayed. 6. Accordingly, the Criminal Revision is disposed of with a direction to learned Juvenile Justice Board, Dehradun to issue summons to P.W.1 and provide one effective opportunity to the revisionist to cross-examine the said witness. It is made clear that the revisionist shall avail the said opportunity on the date fixed by the learned Juvenile Justice Board and no unnecessary adjournment shall be sought or granted for the said purpose. The revisionist shall ensure that his counsel remains present and is fully prepared to conduct the cross-examination on the date fixed. Learned Juvenile Justice Board shall thereafter proceed with the inquiry in accordance with law. (Alok Mahra, J.) 18.08.2026 <i>Arpan</i> ARPAN JAISWAL Digitally signed by ARPAN JAISWAL, DN: cn=ARPAN JAISWAL, o=JUDICIAL OFFICE OF THE JUDGE, ou=JUDICIAL OFFICE OF THE JUDGE, email=arpaj@ukhcdelhi.org, c=IN, postalCode=110002, serialNumber=1, version=1.0, reason=I am the author of this document. Date: 2026.08.18 11:08:47 +05'30'
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