

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

**CR No.6611 of 2014 (O&M)
Date of decision: 04.02.2015**

Baldev Krishan

....Petitioner

Versus

Siri Ram and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Vivek Singla, Advocate for the petitioner.

Mr. Surinder Garg, Advocate for the respondents.

Rakesh Kumar Jain, J. (Oral)

The grievance of the petitioner is that he has not been permitted to cross-examine his own witness in terms of Section 154 of the Evidence Act, 1872 [for short 'the Act'] without assigning any reason.

Counsel for the respondents could not support the observations of the learned trial Court vide which the request was declined and has submitted that the impugned order may be set aside and the matter may be remanded back to the trial Court to record the reasons available for permitting or not permitting the petitioner to exercise his right under Section 154 of the Act.

This suggestions made by learned counsel for the respondents is accepted by learned counsel for the petitioner.

Accordingly, the petition is disposed of and the observations made by the trial Court on the statements of DW5 and DW7 vide which the request made by the defendant qua his further cross-examination was declined, is hereby set aside and the matter is remanded back to the trial Court to decide it afresh as to whether the request made by the petitioner is being permitting or not and if there is no reason then the permission may be granted.

Disposed of.

February 04, 2015
Manoj Bhutani

(Rakesh Kumar Jain)
Judge