

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

CRM-M- 28464 of 2015

Date of Decision: September 11, 2015

Chirag Behal @ Chinkoo

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Gorakh Nath, Advocate
for the petitioner.

Rajan Gupta, J (Oral)

Petitioner has impugned order dated 22.7.2015 passed by Additional Sessions Judge, Karnal whereby application, moved by the petitioner for recalling witness-Jyoti for further cross-examination, has been dismissed.

Learned counsel for the petitioner has assailed the order. According to him, a witness can be recalled at any stage of the trial for further cross-examination. He further submits that provision of Section 311 Cr.P.C should be interpreted liberally.

I have heard learned counsel for the petitioner.

FIR was registered on the complaint of Renu, sister of Jyoti. She alleged that accused had attacked witness-Jyoti with a knife as she refused to marry accused-Chirag Behal. In the incident, finger of Jyoti was chopped off. As her sister raised an alarm, neighbours gathered on the spot and arranged a vehicle to take the injured to Government Hospital, Karnal. During trial, prosecution examined three witnesses

namely, Dr.Manish, Renu and Jyoti. The witness-Jyoti was cross examined at length by the accused. Deposition of said witness is on record, Annexur P/3. A perusal thereof shows that number of questions were put to her during cross examination. Instant application has been moved for recalling Jyoti for further cross examination on the ground that said witness could not be confronted with certain material questions. Plea has been rejected by the court below.

In view of the fact that witness-Jyoti has already been cross examined at length, I find no ground to interfere in the order passed by Additional Sessions Judge, Karnal.

Dismissed.

(Rajan Gupta)
Judge

September 11, 2015
BB