

Kewal Masih

..... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE K.C. PURI.

Present: None for the petitioner .

Mr. Yogesh Gupta, AAG, Punjab.

K.C. PURI, J. (ORAL)

This is a petition for challenging the order dated 05.09.2013 vide which the application under Section 311 Cr.P.C. for summoning the witnesses PW-1 (Parminder Singh) and PW-2 (Buta Singh) for cross-examination was dismissed.

The application has been dismissed on the ground that the same has been filed for delaying the proceedings of the case as the case is mature for final disposal.

PW-1 (Parminder Singh) and PW-2 (Buta Singh) are official witnesses and as per record, they have not been cross-examined. Justice should not only be done but it seems to have been done. Cross-examination of these witnesses is essential for just decision of the case and the cross-examination is the only way to check the veracity of the witnesses.

So, in view of above, the impugned order dated 05.09.2013, passed by Shr. K.K. Bansal, Judge, Special Court, (A), Gurdaspur, stands

set aside and the petitioner is allowed to cross-examine PW-1 (Parminder Singh) and PW-2 (Buta Singh).

Disposed of.

A copy of this order be conveyed to the quarter concerned for compliance.

February 05, 2015

dk kamra

**(K.C. PURI)
JUDGE**