

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32335-2015

Date of Decision: September 21, 2015

Sumit Singh @ Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

NARESH KUMAR SANGHI, J (Oral)

Challenge in the present petition, filed under Section 482, Cr.P.C., is to the order dated 31.8.2015 (Annexure P-1), passed by learned Judge Special Court, Tarn Taran, whereby the application, dated 30.7.2015, moved by the petitioner-accused, Sumit Singh @ Sonu, for leading additional evidence by recalling ASI Kulwinder Singh (PW2), was dismissed.

Learned counsel contends that Inspector of Police, Paramjit Singh was examined as PW3, who deposed contrary to the statement recorded under Section 161, Cr.P.C., suffered by ASI Kulwinder Singh (PW2). The petitioner wanted to further cross-examine ASI Kulwinder Singh (PW2) to confront him with his previous statement recorded under Section 161, Cr.P.C.

I have heard learned counsel for the petitioner and with his able assistance gone through the material available on record.

The only prayer of the petitioner is for re-calling of ASI Kulwinder Singh (PW2), so as to confront him with his previous statement recorded under Section 161, Cr.P.C. When ASI Kulwinder Singh appeared before learned Trial Court as PW-2, his statement recorded under Section 161, Cr.P.C., was very much available on record. No one had forbidden or debarred the petitioner from confronting ASI Kulwinder Singh (PW-2) with his previous statement, which was available on record. Learned Trial Court has rightly rejected the prayer of the petitioner after recording sound reasons. No ground for setting aside the said order is made out.

Dismissed.

(NARESH KUMAR SANGHI)
JUDGE

September 21, 2015
Pkapoor