

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

CRM-M-9872 of 2015 (O&M)

Date of Decision: August 17, 2015

Rakesh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Manish Soni, Advocate, for the petitioner.
Mr.Gaurav Dhir, DAG, Haryana.

Rajan Gupta, J (Oral)

Petitioner is aggrieved by order Annexure P/6 whereby his application for cross examination of the concerned doctor has been dismissed. According to him, this would adversely affect the petitioner as cross examination of the doctor is necessary.

Prayer has been opposed by learned State counsel. Heard.

It appears that case was registered against the petitioner under Sections 148, 149, 323, 427, 452, 307, 506 IPC and 25/54/59 of Arms Act. Allegation against the petitioner was that he caused injuries to the complainant side and shot was fired from the pistol. Pursuant to FIR, trial ensued. Petitioner moved an application for cross examination of Dr.Deepak Kumar. However, this application was dismissed on the ground that despite number of opportunities, petitioner had failed to cross examine the witness. Vide order dated 6.4.2015 passed by this court, it was directed that petitioner would deposit Rs.20,000/- to be remitted to Haryana State Legal Services Authority. Said order has been complied with.

Under the circumstances, one opportunity is granted to the petitioner to cross examine the concerned doctor at his own risk and responsibility. Petition is allowed in these terms.

**(Rajan Gupta)
Judge**

**17.8.2015
BB**