

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

Crl. Rev. No.324 of 2015 (O&M)

Date of Decision: 02.02.2015

Baljit Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Atul Lakhanpal, Sr. Advocate
with Ms. Babli Kumari, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

Learned counsel for the petitioners submits that the application moved by the petitioners has been dismissed by the trial Court only on the ground that the case is five years old, whereas, the witnesses, who have been sought to be recalled, were produced for cross-examination on 20.12.2014 and were cross-examined on behalf of some of the accused. Learned counsel also submits that the petitioners undertake to cross-examine both the witnesses on one date only and no prejudice is going to be caused to the other party.

Considering the submissions made by learned counsel for the petitioners, on perusal of impugned order and also without issuing notice to the other party as it may not only delay the case unnecessarily but the other party will have to incur expenses for engaging a lawyer, the present petition is disposed of with a direction to the trial Court to allow the petitioners to cross-examine both the witnesses, namely, Harnek Singh and Puran Singh on one date convenient to the Court.

However, it is made clear that no further date be given, in case, the petitioners fail to cross-examine the said witnesses on one date fixed for cross-examination of aforesaid witnesses.

Accordingly, the impugned Order dated 19.01.2015 passed by the Additional Sessions Judge, Tarn Taran is set aside with the aforesaid directions.

02.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE