

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRR 438 of 2015

Date of Decision: February 10, 2015

Joginder Singh

.....Petitioner

Vs.

Anurag Malik

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Rakesh Dhiman, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Petitioner is aggrieved by order dated January 29, 2015 dismissing the application of the petitioner/ accused under Section 311 Cr.P.C. seeking to recall the complainant as CW1 for cross-examination. The claim of the petitioner/ accused in proceedings under Section 138 of the Negotiable Instruments Act is that he had also filed a complaint under Sections 406, 420, 506 IPC before ACMM, Saket, Delhi against the complainant where he is facing trial.

By recalling the complainant, petitioner wants to confront him with cheque dated June 30, 2012 for Rs.27.78 lacs and contents of CD

Ex.DW2/1. The application has been dismissed on the ground that (i) the documents sought to be put in cross-examination have already been produced on the file during cross-examination; (ii) the application has been filed at belated stage; and (iii) the case is at final stage of arguments.

In view of the fact that the facts which are sought to be brought on the record have already been taken on record, no ground is made out for interference in the impugned order.

Dismissed.

Februar 10, 2015
sanjay

(M.M.S.BEDI)
JUDGE