

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

Crl. Misc. No. M-14234 of 2016

Date of decision:- 10.08.2016

Ranjit Singh and others

...Petitioners

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms. Satwant Mehta, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Challenge in the present petition is to the order dated 22.12.2015 (Annexure P-1) passed by learned Judicial Magistrate Patti, whereby the application of the petitioners filed under Section 311 Cr.P.C seeking to recall the witnesses P.W.1 and P.W.2 for further cross examination has been dismissed.

Learned counsel for the petitioner at the very outset submits that the present petitioners are father-in-law, mother-in-law and brother-in-law of the complainant and since the material questions regarding the entrustment, misappropriation of dowry articles and maltreatment could not be put to the witnesses, the petitioners are seeking to recall the afore-stated witnesses for further cross examination, petitioners engaged new counsel as per law on 08.10.2015. Learned counsel submits that in a span of three years, the prosecution case could not be concluded.

Learned counsel has further informed the Court that the prosecution witnesses are still to be examined and thus, the petitioners be given one more effective opportunity to cross examine the complainant i.e P.W.1.

Keeping in view the above peculiar facts that the prosecution witnesses are still to be examined, order dated 22.12.2015 (Annexure P-1) is hereby set aside and the instant petition is **allowed** and the petitioner is given one effective opportunity to cross examine the complainant i.e P.W.1 on the question of entrustment, misappropriation of dowry articles and maltreatment, subject to payment of Rs.2500/- as costs, which shall be deposited before the District State Legal Service Authority, Tarn Taran.

August 10, 2016
G Arora

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No