

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

CRM-M No.30958 of 2015 (O&M)
Date of decision: 02.08.2016

Lovejeet Singh

.... Petitioner

versus

State of Punjab & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Aman Dhir, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

Mr. Vivek Goel, Advocate
for respondents No.2 & 3.

Ajay Tewari, J.(Oral)

By this petition, the petitioner has challenged the order dated 04.09.2015 whereby two applications filed by him under Section 311 Cr.P.C. were dismissed.

At the very outset, learned counsel for the petitioners has stated that by these two applications, he sought the summoning of witnesses along with other records yet he would limit his prayer only to summoning Dr. Sandeep Sharma, Medical Superintendent at Arora Neuro Center Mall Road, Ludhiana. It may be mentioned here that the trial court while rejecting the said applications had noticed that earlier the prosecution had moved two applications under Section 311 Cr.PC and had come to the conclusion that the present applications were an attempt to fill up the lacunae in the prosecution version.

Learned counsel for the petitioners has vehemently argued that Section 311 Cr.P.C. permits the Court to summon any witness at any stage.

Be that as it may, learned counsel for the petitioner has not been able to deny that at that time he did not summon those witnesses and has no explanation as to why at that stage, the present prayer was not made.

Consequently, the present petition stands dismissed.

August 01, 2016
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(AJAY TEWARI)
JUDGE

- 1. Whether speaking/reasoned?*
- 2. Whether reportable?*

Yes/No
Yes/No