

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-33651-2014 (O & M)
Date of decision:25.02.2016

Dr. Harbans Singh

...Petitioner(s)

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Naresh Jain, Advocate,
for the petitioner(s).

Mr. Sidakmeet Sandhu, AAG, Punjab.

Rajan Gupta, J. (oral)

Challenge in the present petition is to order dated 14.07.2014 passed by the trial court rejecting application under Section 311 Cr.P.C. Learned counsel for the petitioner has assailed the order.

According to him, powers conferred under Section 311 Cr.P.C. are wide and can be exercised at any stage of trial. Besides, on the relevant date, complainant was cross-examined by another counsel as the counsel engaged by him was out of country. Thus, another opportunity be afforded to recall the witness for cross-examination.

Prayer has been opposed by the learned State counsel.

I have heard learned counsel for the petitioner. It appears proceedings were initiated on the complaint of K.K. Jain, the then Judicial Magistrate Ist Class, Gidderbaha. In the complaint, petitioner was facing proceedings under Section 406 and 498-A IPC.

He was released on bail during pendency of trial. At that time, petitioner furnished bail bonds and surety bonds. However, same were forged. It is evident that K.K. Jain, Judicial Magistrate 1st Class, deposed before the court through video conferencing. Though his deposition was formal in nature, he was cross-examined at length. Under the circumstances, it is inexplicable why the same witness needs to be recalled for cross-examination.

I find no infirmity with the order passed by the trial court. No ground to interfere in inherent jurisdiction of this court is made out.

Dismissed.

25.02.2016.

sukhpreet

**(RAJAN GUPTA)
JUDGE**