

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4574 of 2016
DECIDED ON: FEBRUARY 10, 2016

Kuljit Kaur

.....Petitioner....

VERSUS

State of Punjab

....Respondent....

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Wadhawan, Advocate for the petitioner.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

JASPAL SINGH, J (ORAL)

This is a petition preferred under Section 482 of the Code of Criminal Procedure by Kuljit Kaur being aggrieved against the order dated January 03, 2014 (Annexure P-3) passed by Id. Jurisdictional Magistrate, Amritsar in case FIR No. 186, dated 06.08.2006, under Sections 420, 467, 468, 471 and 120-B IPC, Police Station Jandiala, which was upheld vide order dated November 17, 2015 (Annexure P-6) passed by Id. Additional Sessions Judge, Amritsar whereby revision petition was dismissed as withdrawn on account of the fact that the same was not maintainable.

2. The contention of learned counsel for the petitioner is that vide impugned order dated January 03, 2014, the trial court dismissed the application for recalling of the witnesses for the purpose of cross-examination despite the fact that other witnesses were also to be cross-examined, who were not appearing despite bailable warrants. On the

date, when impugned order dated January 03, 2014 was passed, learned counsel representing the petitioner was busy in some other court due to which he could not appear and ultimately, Id. trial court declined to give further adjournment for the cross-examination of the witnesses present in the Court. The petitioner may kindly be granted an opportunity to cross-examine the witnesses.

3. This Court has given an anxious thought to the aforesaid submission made by learned counsel for the petitioner but does not find the same to be of any legal value.

4. A glance at the impugned order dated January 03, 2014 makes it crystal clear that PW-1/Sukhdeep Kaur was examined in chief on October 03, 2013 whereas PW-2 Amarjot Singh was examined in chief on February 21, 2013. Thereafter, the case was fixed for their cross-examination. Though number of opportunities were afforded to the accused to cross-examine the aforesaid witnesses but learned counsel did not come present on any of the dates so fixed to cross-examine them, which shows the reluctance on the part of the present petitioner to cross-examine the witnesses.

5. This Court is of the considered view that the petitioner has already availed sufficient opportunities to cross-examine those witnesses. As such, the impugned order do not call for any interference by this Court. Instant revision being merit-less is dismissed.

FEBRUARY 10, 2016
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(JASPAL SINGH)
JUDGE