

210/a

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-466-2015 (O&M)

Date of decision: 8.12.2016

Bhagwant Singh

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: - HON'BLE MS. JUSTICE RITU BAHRI.

Present: - Mr. B.S. Saroha, Advocate for petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

.....

Ritu Bahri, J.

Present revision petition is filed against the impugned order dated 23.1.2015 passed by Addl. Sessions Judge, Kurukshetra under Section 311 Cr. P.C. for recalling PW-2 Kulwant Singh and PW-3 Mamta Devi was dismissed.

Learned counsel for petitioner contends that PW-2 Kulwant Singh and PW-3 Mamta, who is 17 years of age, were examined on 4.8.2014. It has been held by the trial court that sufficient opportunities have been granted for cross-examination of these witnesses and they have been cross-examined at length.

Subsequently, these witnesses had appeared before the Juvenile Justice Board, Kurukshetra on 12.12.2014. Learned counsel for petitioner further submit that before coming to the Court they have not raised any allegation of rape against the present petitioner and before the Juvenile

Justice Board as well. They resiled from their statements also.

These are not the grounds on which the petitioner can seek recalling of the orders. If the witnesses have been examined in chief and cross-examined, such witnesses should not be recalled and re-examined to deny the evidence they had already given before the Court below. Both the PWs have been examined at length.

Hence, no ground for interference is made out in the present petition.

Dismissed.

(RITU BAHRI)
JUDGE

8.12.2016
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No