

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24877-2017

Date of decision: July 14, 2017.

Kulbir Singh

... **Petitioner**

v.

State of Punjab and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Arnav Sood, Advocate for the petitioner(s).

A.B. Chaudhari, J. (Oral):

Heard Learned counsel for the petitioner. He submits that because the petitioner brought in the cross examination the lacuna in the prosecution case, the complainant filed the application under Section 311 Cr.P.C. for bringing other evidence on record. Following are the reasons given by the trial court:-

“After going through the rival contentions raised by both sides, it follows that case is still pending for complainant evidence and he has not closed his evidence yet. The affidavit of complainant was tendered on 26.09.2016 and he was cross examined on 17.02.2017. This application has been filed very promptly on the very next date i.e. on 28.03.2017, so this application cannot be termed as belated. No prejudice shall be caused to accused in case this application is allowed since ample opportunity is available with defence counsel to cross examine these witnesses.”

I am satisfied with the reasons recorded by the trial court which are proper, legal and well written. The trial is going on. The complainant is

entitled to lead as much evidence as he desires.

Dismissed.

July 14, 2017.

kadyan

[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No