

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

**CRM-M-29192-2017
Date of decision-23.10.2017**

Jaspal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Alisha Soni, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Criminal Procedure Code has been filed for quashing of the order dated 15.06.2017 (Annexure P-1) passed by learned Judicial Magistrate First Class, Ludhiana vide which application under Section 311 Cr.P.C. filed by the petitioner/accused for recalling of prosecution witnesses namely, Surjit Singh and Avtar Singh, has been dismissed.

Learned counsel for the petitioner contends that certain material questions having bearing on the matter escaped the notice of the learned counsel regarding the identification of the accused.

I have heard learned counsel for the petitioner and perused the case file.

It is evident from the record that the accused-petitioner was afforded sufficient opportunity to cross examine the witnesses examined by the prosecution. The witnesses have been cross-examined at length. Now the petitioner wants to examine both above said witnesses as defence witnesses.

In view of the above, this Court feels that the present petition is

nothing else but an effort to fill up the lacuna in the matter. Learned Court below has passed a reasoned order while dismissing the application of the accused/petitioner under Section 311 Cr.P.C.

This Court feels that no cause of action has arisen in favour of the petitioner to invoke the inherent jurisdiction of this Court. Consequently, the present petition is dismissed.

(JITENDRA CHAUHAN)
JUDGE

October 23, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No