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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6587-2016
Date of Decision: 02.12.2017

Ranjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sahil Kaushal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

SUDIP AHLUWALIA J. (ORAL)

It is contended *inter alia* on behalf of the petitioner that she was wrongly denied an opportunity to cross-examine the principal witness, who was the complainant himself in the case in which the petitioner has been tried. It is further submitted that actually the petitioner's counsel was not present in the Court but due to some error his presence has been noted and it was observed by the concerned Presiding Officer on 05.06.2013 that the petitioner's counsel had declined to cross-examine the witness, although this part of the proceedings was not incorporated in the zimini order on that date.

[2]. In the given facts and circumstances and in view of the decision of the Hon'ble Supreme Court in the case of “**P. Sanjeeva Rao Vs. State of A.P.**” **2012(3) RCR (Criminal) 653**, this would appear to be a fit case to allow one opportunity to the petitioner to cross-examine the PW-1/complainant on a single date subject to payment of all the witnesses

legitimate costs/expenditure and an additional payment of cost in favour of the concerned District Legal Services Authority of an amount of ₹5000/-.

[3]. It is further made clear that in the event of the petitioner failing to complete the cross-examination of the witness on record on a single date, the same shall be deemed to be closed.

[4]. Disposed off.

02.12.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No