

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-6460 of 2017

DATE OF DECISION:24.07.2017

ANIL KUMAR @ KHADDA

... Petitioner(s)

Vs.

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manoj K. Tanwar, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is challenging the order dated 15.02.2017 whereby the application of the petitioner under Section 311 of Cr.P.C. for cross-examining PW-10 and PW-11 has been disallowed.

Learned counsel for the petitioner contends that the petitioner is confined in Bhondsi jail in some other case and as the examination of aforesaid PW-10-Vikram and PW-11-Bablu @ Babbu had taken place through video conferencing, the counsel for the petitioner could not cross-examine PW-10 and PW-11. He further contends that only one opportunity be granted to the petitioner to cross-examine PW-10 and PW-11 through his counsel.

Issue notice to the respondent.

At the asking of the Court, Mr. Tanuj Sharma, AAG, Haryana accepts notice on behalf of the respondent.

Heard.

It would be in the interest of justice, if the petitioner is granted one opportunity to cross-examine PW-10 and PW-11 as their counsel could not cross-examine them when their evidence was recorded. Consequently, the petition is disposed of with a direction to the trial Court to grant one opportunity to the petitioner to cross-examine PW-10 and PW-11 through his counsel.

July 24, 2017

(ANUPINDER SINGH GREWAL)

SwarnjitS

JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No