

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

**CRR No.4151 of 2016 (O&M)
Date of Decision: August 22, 2017**

Amrit Bhakri

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vishal Deep Goyal, Advocate
for the petitioner.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab
for the respondent-State.

Mr.Preetinder Singh Ahluwalia, Advocate
for respondent No.2.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Amrit Bhakri against respondents State of Punjab and Balwinder Kaur, challenging the impugned order dated 26.10.2016 passed by learned Addl. Sessions Judge, Jalandhar.

Notice of motion was issued. Learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that statement of DW-3 Balwinder Ram

was recorded in the Court. In the chief-examination, he had not stated

anything against the co-accused. The prosecution cross-examined this witness three times after getting it deferred. Later on, counsel for co-accused Amrit Bhakri and Shivani Prashar made request to cross-examine the witness and the request was declined by the Court by stating that he has to cross-examine the witness first before opening the cross-examination by the complainant. Against this order, present revision petition has been filed.

From the record, I find that order dated 26.10.2016 not allowing the petitioner to cross-examine, especially when the witness of the co-accused has not deposed anything incriminating against the co-accused, is an interlocutory order. No revision is maintainable against the interlocutory order as revision against the interlocutory order, is specifically barred under Section 397 Cr.P.C.

In view of the above discussion, the present revision petition stands dismissed being not maintainable.

August 22, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No