

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

**CRR-2503-2017 (O&M)
Date of decision-25.07.2017**

**Kedarnath Singh
Vs.
State of Punjab**

...Petitioner

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sukhdeep Singh Sidhu, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This revision petition is directed against the order dated 26.05.2017 passed by learned Additional Sessions Judge, Bathinda vide which application filed by the petitioner under Section 311 of Criminal Procedure Code (in short 'Cr.P.C') for recalling prosecutrix (PW-1) for further cross-examination was dismissed.

The grievance of the petitioner in the instant revision is that the Court of Additional Sessions Judge, Bathinda has passed the impugned order without appreciating the facts and re-calling of the prosecutrix is very much essential for the just decision of the case. Learned counsel contends that at the time of cross-examination of the prosecutrix, the petitioner was in custody due to which related videos/photographs could not be referred to at that stage of the trial.

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

It is evident from the record that the petitioner was afforded

sufficient opportunity to cross examine PW-1/prosecutrix. The witness was examined at length. The alleged videos and photographs in question were not confronted to the prosecutrix at the time of cross-examination.

In view of the above, this Court feels that the present revision 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 of 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 revision petition stands dismissed.

(JITENDRA CHAUHAN)
JUDGE

July 25, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No