

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

**CRR-2799-2017 (O&M)
Date of decision-18.08.2017**

Amritpal Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

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 03.08.2017 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) for further cross-examination was dismissed.

Heard.

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 fact that re-calling of the prosecutrix is very much essential for the just decision of the case. The prosecutrix is to be re-examined by a newly engaged counsel on certain material questions.

It is evident from the record that the petitioner was afforded sufficient opportunity to cross examine the prosecutrix. The witness was examined at length. It is settled law that the change of the counsel cannot be held a just reason for re-summoning the PW for further 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

August 18, 2017

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