

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

CRR No.3713 of 2017

Date of Decision : 10.10.2017

Chandan Kumar Shah

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. J.S. Jaidka, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

The present revisional petition is directed against the impugned order passed by the Ld. Sessions Judge, Ludhiana in Sessions Case No.25 of 2016 on 12th July, 2017 vide which cross-examination of PW 11-Inspector Hardeep Singh was closed by the Ld. Trial Court on the relevant date as petitioner's counsel was not present.

It has been made out that the petitioner's counsel due to some unavoidable reasons could not reach the Court in time. But when he actually reached there, the cross-examination had already been closed. He therefore now seeks an opportunity to recall the said witness for cross-examination.

The prayer of the petitioner is apparently innocuous considering that even at this stage prosecution evidence is stated to be continuing and has not yet been closed.

In the given circumstances, the present petition is allowed after setting aside the impugned order. The petitioner is granted liberty to cross-examine the witness (PW-11) on record subject to the condition that the witness's costs for appearance in Court, shall be borne by the petitioner's side and that such cross-examination shall be done after other witnesses summoned for any particular date, are examined and cross-examined in full and discharged.

Disposed off.

October 10, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No