

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

**Crl. Misc. No. M- 1107 of 2018  
Date of Decision:- 12.1.2018**

Rishi Raj

....Petitioner

vs.

Sunil Kumar and another

....Respondent(s)

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**CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL**

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Present:- Mr. Bijender Dhankhar, Advocate,  
for the petitioner.

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**Sudhir Mittal, J. (Oral)**

This petition has been filed seeking quashing of order dated 7.2.2017 (Annexure P-4) whereby application of the petitioner moved under Section 311 Cr.P.C. has been rejected.

The application under Section 311 Cr.P.C. was filed to cross-examine the complainant with reference to an alleged compact disc in the possession of the accused-petitioner.

I am of the opinion that the said compact disc containing conversation can very well be proved by the accused-petitioner during his defence evidence. Thus, no prejudice would be caused to him by the impugned order.

Accordingly, the present petition is hereby dismissed. It is, however, made clear that during the course of his defence evidence, the petitioner shall be at liberty to lead whatever evidence he wishes to lead including the aforementioned compact disc.

**January 12, 2018**

**poonam**

**Whether speaking/reasoned**

**Whether reportable**

**( SUDHIR MITTAL )**

**JUDGE**

**Yes**

**No**