

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-22978-2018

Date of decision : 25.05.2018

Rampreet Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.S.P.Arora, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioner submits that as a matter of fact the documents now sought to be put to the witnesses who are sought to be recalled, are part of judicial record that was already available with the complainant bank, with the witnesses who are now sought to be recalled having been examined on 13.10.2017, 25.10.2017 and 19.12.2017, and with prosecution evidence having thereafter been closed vide an order passed on 12.03.2018, and with the statement under Section 313 Cr.P.C. having been recorded on 13.03.2018. The application under Section 311 Cr.P.C. was filed only thereafter, on 22.03.2018.

He further submits that the petitioner has been facing the agony of trial since the year 2010; and therefore the application having been allowed at the fag end of the trial, virtually amounts to reopening the case of the prosecution, with the petitioner to further continue to face the said agony for a long period of time.

Whereas the contention of learned counsel is otherwise wholly

correct; however, in view of the fact that the complainant in the FIR is a bank and as noticed by the learned trial Court, there is public money to the tune of crores involved, I am of the opinion that it is not appropriate to interfere in the impugned order. Consequently, while dismissing this petition, it is directed that the trial Court shall ensure that the witnesses are recalled and all examined upto the 3rd week of July, after which the trial Court would proceed further and, depending on the evidence to be led by the accused, the trial would be concluded expeditiously.

(AMOL RATTAN SINGH)
JUDGE

May 25, 2018.

D.K./dinesh

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No