

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No.M-4026 of 2018 (O&M)
Date of Decision: 01.02.2018

Jora Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Karan Garg, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

Though the application filed under Section 311 Cr.P.C., seeking recalling of Kuldeep Singh, Satish Kumari and Rajni for cross-examination was filed on 14.08.2017 (copy annexed as Annexure P-2), i.e. within 14 days of the order 31.07.2017, by which it is recorded that despite opportunity of cross-examination, the aforesaid witnesses were not cross-examined, the learned trial Court vide the impugned order dated 20.11.2017 (Annexure P-4) has dismissed the said application on the ground that the counsel did not bring to the notice of the Court that he was busy in another Court on that date.

Consequently, this petition is disposed of with a direction to the trial court to grant one effective opportunity to the counsel for the petitioner to cross-examine the aforesaid three persons.

It is made clear that this Court having recorded “effective opportunity” as above, would not imply that requests for unnecessary adjournments shall be entertained by the trial Court.

01.02.2018
vcgarg

(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No