

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

Sr. No.124

CRM-M-45011-2018
Date of decision : 11.10.2018

Ashraf

..... Petitioner

VERSUS

Jaswant Goyal

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. K.S. Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved by impugned order dated 20.09.2018 (Annexure P4), passed by JMIC, Ferozepur Jhirka, whereby his application under Section 311 Cr.P.C for recalling the hand-writing expert for further cross-examination, has been dismissed.

A perusal of the impugned order shows that the trial Court has found that the additional questions which the petitioner wanted to put to the hand-writing expert by way of cross-examination, have already been put to him during his cross-examination. Thus, no useful purpose would be served by recalling the witness.

Further, the trial Court has also found that it is not the sweet will of the party to re-examine a witness. Once a witness has been subjected to cross-examination, the opposite party is not entitled to recall the said witness for further cross-examination even in the absence of any valid ground/explanation.

Thus, I do not find any error or legal infirmity in the impugned order dated 20.09.2018 (Annexure P4), passed by JMIC,

Ferozepur Jhirka, warranting inference in exercise of jurisdiction under
Section 482 Cr.P.C.

The petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

11.10.2018
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No