

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

CRR No.8942 of 2018

Date of decision: March 01, 2016

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

**Rajan Gupta, J.**

This is a revision petition filed by accused Sandeep Singh, against the order dated 21.02.2018, passed by Additional Sessions Judge, Gurdaspur, whereby application under section 311 Cr.P.C. for recalling certain prosecution witnesses for their cross-examination, filed by the petitioner has been dismissed.

The order has been assailed on the ground that trial court has not appreciated the plea of the petitioner in correct perspective. Powers under section 311 Cr.P.C. are wide, thus, the court ought to have allowed the application.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR No.38 dated 1.6.2016, under sections 302, 148, 149 IPC was registered at Police Station Behrampur, District Gurdaspur. After completion of investigation, challan was presented before the court.

Prosecution examined five witnesses, who were duly cross-examined by counsel for the petitioner/accused. At this stage, one of the accused namely, Sandeep filed instant application under Section 311 Cr.P.C. for recalling PW-1, PW-2, PW-4 & PW-5 for their further cross-examination in order to prove alleged injuries caused by the complainant party. The trial court has dismissed the application. It observed that since no cross-case was got registered by the petitioner, he cannot recall the witnesses regarding alleged injuries inflicted by the complainant party. I find no infirmity with the order. It is apparent that trial is nearing its culmination. Necessary witnesses have already been examined and also cross-examined. The trial court has, thus, rightly rejected the application. It appears, petitioner only wants to delay the trial. There is no ground to interfere in inherent jurisdiction of this court.

Dismissed.

**(RAJAN GUPTA)**  
**JUDGE**

March 01, 2016  
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No