

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

**Criminal Revision No. 1368 of 2018(O&M)
Date of decision: 19.04.2018**

Amita Nagpal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. C.S. Bakshi, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This revision petition has been filed to challenge the order dated 30.03.2018 passed by learned trial Court whereby the second application filed under Section 311 Cr.P.C. for recalling PW-1 Subhash Chander and PW-2 Raj Luthra for further cross-examination has been dismissed.

Mr. C.S. Bakshi, learned counsel appearing on behalf of the petitioner submits that an application had been filed for recalling PW-1 Subhash Chander and PW-2 Raj Luthra for further cross-examination on the ground that they had been able to lay their hands on the documents which were important and vital to their case and the same had to be put to these witnesses, which application was dismissed by an order dated 16.02.2018. Subsequently, second application was preferred under Section 311 Cr.P.C. for recalling the same witnesses for further cross-examination by attaching the documents/medical record pertaining to the treatment of the deceased Kajol, which inadvertently were not annexed with the first application and,

therefore, the Addl. Sessions Judge, Jalandhar has erred in not allowing the said application.

At this stage, learned counsel for the petitioner seeks permission to withdraw the petition with liberty to challenge the order dated 16.02.2018.

Dismissed as withdrawn with liberty to seek whatever remedy is available to the petitioner in accordance with law.

19.04.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

No.
No.