

249.

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

CRR-102-2019

Date of decision:22.07.2019

SANDEEP @ SONU

... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mazlish Khan, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. P.P., Haryana,
for respondent No.1.

Mr. Gulrej Khan, Advocate, for
Mr. Nitin Bansal, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Petitioner has filed the present revision petition impugning the order dated 06.12.2018 passed by learned Additional Sessions Judge, Jind whereby the defence counsel was not permitted by the trial Court to cross-examine PW5-Sushila with the mere presumption that the defence counsel has nothing more to ask from the witness.

Counsel for the petitioner states that the order dated 06.12.2018 passed by the trial Court is based on presumption. The plea of the defence counsel to cross-examine PW5 was declined merely on the ground that the defence counsel wanted to get effaced the evidence and the facts which have already come during the deposition of PW5 while recording her statement on 03.05.2018.

At this stage, counsel appearing on behalf of the complainant-respondent No.2 fairly states that he has no objection if one opportunity is granted to the petitioner to cross-examine PW5.

It being a conceded position between the parties, the order dated 06.12.2018 is set aside and one opportunity is granted to the petitioner/defence counsel to cross-examine PW5-Sushila.

However, it is made clear that the date on which PW5 appears for cross-examination, counsel for the petitioner shall conclude the same on that date and shall not delay the proceedings under the garb of this order.

Disposed of.

(HARI PAL VERMA)
JUDGE

22.07.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No