

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.117

CRM-M-6349 of 2019

DECIDED ON: February 11, 2019

AMAN KUMAR YADAV

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Aayush Gupta, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

It is *inter alia* submitted that the petitioner's counsel had sought time to cross-examine PW-1-Dr. Hira Lal as he was on his legs in another Court. However, the trial Court did not accede to the request nor did it allow the application of the petitioner filed under Section 311 Cr.P.C. Thus, the right of the defence to cross-examine an important prosecution witness has been curtailed without any justification.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent No.1. Let two copies of the complete paper book be supplied to him during the course of the day. Considering the nature of the order being passed, it is not necessary to serve the respondent No.2.

The petition is disposed of with direction to the trial Court to summon PW-1-Dr. Hira Lal for the next date of hearing. Counsel for the petitioner shall be permitted to cross-examine him on the said date. No further opportunity shall be granted.

February 11, 2019

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No