

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

122

CRR No.2514 of 2019

Date of Decision: November 20, 2019

Amandeep Purewal

.....Petitioner(s)

versus

Pardeep Kumar and another

.....Respondent(s)

**CORAM: HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL**

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Present: Ms. Rajvinder Kaur, Advocate for the petitioner.

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**ANUPINDER SINGH GREWAL, J. (Oral)**

The petitioner has challenged the order of the trial Court whereby application under Section 311 Cr.P.C. for cross examination of the complainant has been allowed.

Learned counsel for the complainant contends that the application could not have been allowed especially when the evidence of the complainant had been completed and was closed.

Heard.

It is manifest from the perusal of the impugned order that the complainant had been present on several occasions including 06.03.2019 and 19.04.2019 for cross examination but he was not cross examined by the defence counsel who had sought adjournment which was allowed. The complainant was again present on 07.07.2019 and 27.08.2019 and matter was adjourned at the request of both the learned counsel for the parties. The complainant was also present on 01.10.2018 when his evidence was closed.

The Court has granted one opportunity for the cross examination of the complainant subject to the costs of Rs.2000/-.

The opportunity to the accused to cross examine the complainant would be in furtherance of the interest of justice, equity and fair play. If the accused is denied an opportunity to cross examine the complainant, it might prejudice his case. It would be necessary for a just and effective adjudication of the matter that the complainant is cross-examined. At this stage, learned counsel for the petitioner states that complainant has already been cross-examined.

In view of the above, I do not find any patent illegality in the order of the trial Court granting one opportunity to cross examine the complainant.

Consequently, the petition stands dismissed.

November 20, 2019  
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**[ ANUPINDER SINGH GREWAL ]**  
**JUDGE**

|                             |        |
|-----------------------------|--------|
| Whether speaking/reasoned : | Yes/No |
| Whether Reportable :        | Yes/No |