

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 285 of 2020

- Yogendra Puri Goswami, S/o Shri Mahendra Puri Goswami, Aged About 27 Years, Resident of Sf 895 Kailash Vihar Cseb Colony, Korba, Police Station- Korba District-Korba, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through District Magistrate Korba, District : Korba, Chhattisgarh
2. Lalendra Yadav, S/o Shri Devnandan Prasad Aged About 30 Years Resident Of Qua. Ff 192 Alkhanda Vihar Cseb Colony Korba, Police Station- Korba District- Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Soniya Kuldeep & Ms. K. Radhika, Advocates.
For Respondent/State	:	Mr. Sanjay Pathak, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/02/2020

Heard.

1. This revision petition has been brought challenging the legality, propriety and correctness of the order dated 25.1.2020 passed by the learned Special Judge(SC/ST Act) Korba, District-Korba, Chhattisgarh, by which the application filed by the petitioner, who is appellant before the Court below under Section 311 of CrPC was dismissed.
2. The petitioner had filed application under Section 311 praying for additional cross-examination of the witness of the complainant side, which has been dismissed by the trial Court.
3. As the matter against the petitioner is in appeal and Section 311 of

CrPC is not a provision giving any entitlement to the petitioner to seek any relief in appeal.

4. On the contrary, the petitioner/appellant has entitlement to file application under Section 391 of CrPC if there is any need of filing any additional evidence in the matter of his defence, therefore, I do not find reason to entertain this revision petition. Hence, the petition is disposed off and the petitioner is granted liberty to file application under Section 391 of CrPC, if he is so advised by his counsel.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha