

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

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CRM-M-33719-2020

Date of decision : 27.10.2020.

Mohit Singh

... Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking quashing of the order dated 18.02.2020 (Annexure P-1) whereby his application under Section 311 Cr.P.C. for recalling PW-2 for further cross-examination has been dismissed.

Learned counsel for the petitioner contends that due to lapse on the part of the previous counsel, PW-2 Randhir Singh could not be properly cross-examined which has caused prejudice to the case of the petitioner and therefore, only one opportunity be granted to recall PW-2 for further cross-examination.

Heard.

It is evident from the record that PW-2 Randhir Singh was examined on 25.02.2019 and adequate opportunity had been granted to the defence counsel to cross-examine the witness. PW-2 Randhir Singh had come all the way from Bihar for his examination. The prosecution evidence had been

closed and the statements of the accused under Section 313 Cr.P.C. had also been recorded. Some of the defence witnesses have also been examined and at the fag end of the trial, the application under Section 311 Cr.P.C. for recalling PW-2 had been made.

In view of the above, I do not find any illegality in the impugned order dismissing the application for recalling the witness.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

October 27, 2020
sonia gugnani

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