

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-3636-2018 (O&M)
Date of Decision:-4.3.2021

Jasbir Singh @ Seera ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manuj Nagrath, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

CRM-6234-2021

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 23.4.2021 and is taken on board today.

CRM-6235-2021

This application has been filed seeking permission to withdraw the main case i.e. CRR-3636 of 2018, wherein the applicant/petitioner has challenged order dated 12.10.2018 passed by learned Sessions Judge, Ludhiana, whereby an application filed by the applicant/petitioner under Section 311 Cr.P.C. seeking recalling of PW-1-Gurbachan Singh and PW-3-Harjot Kaur for further cross-examination has been declined.

The said application was filed on the ground that there has been a change of counsel of the accused and who found that the earlier counsel had not effectively cross-examined the aforesaid witnesses.

A perusal of the statements of PW-1-Gurbachan Singh and PW-3-Harjot Kaur annexed with the petition shows that the said witnesses have been sufficiently cross-examined. In any case, change of counsel would not furnish sufficient grounds for recalling the PWs. The impugned order, otherwise also does not suffer from any infirmity and would not justify interference. In these circumstances, the instant application is allowed and the applicant/petitioner is permitted to withdraw the main petition i.e. CRR-3636 of 2018.

CRR-3636-2018 (Main Case)

In view of order passed above in CRM-6235 of 2021, the present petition is dismissed as withdrawn.

4.3.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No