

281 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-55284-2019 (O&M)
Date of Decision: 4th August, 2022

Balwinder Singh

Petitioner

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Naveen Sharma, Advocate for respondent No.2.

AVNEESH JHINGAN, J (Oral):

This petition was filed seeking quashing of order dated 25.11.2019 whereby the application under Section 311 Cr.P.C. seeking an opportunity to conduct cross-examination of complainant-Satwant Kaur was dismissed.

Learned counsel for the petitioner realizing that the complainant is now settled abroad and had deposed through video conferencing, seeks only one opportunity to cross-examine the complainant through video conferencing. He submits that the petitioner recognizes the complainant and while cross-examining will not raise issue regarding the identity of the complainant.

Learned counsel for respondent No.2 on instructions submits that the respondent No.2 has no objection for cross-examination through video conferencing provided she is adequately compensated.

In view of the statement made by learned counsel for the petitioner and respondent No.2, the petition is allowed, impugned order is set aside subject to payment of cost of Rs. 10,000/- to be paid to the complainant/respondent No.2 through her counsel. The Court concerned will provide an effective opportunity to the petitioner to cross-examine the complainant through video conferencing.

[AVNEESH JHINGAN]
JUDGE

4th August, 2022
anuradha

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |