

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

Neutral Citation No. 2023:PHHC:051905

**CRR-773-2020**

**Date of Decision: April 13, 2023**

**Gurjant Singh**

**..... Petitioner**

**v**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Mr. Sohrab Dhanda, Advocate for  
Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Gupreet Singh Shergill, AAG, Punjab.

**DEEPAK GUPTA, J.(Oral)**

Petitioner was facing trial in case FIR No.58, dated 15.06.2018, registered at Police Station Dhariwal, District Gurdaspur, under Sections 304, 201,34 of IPC, which was pending in the Court of learned Sessions Judge, Gurdaspur. Prosecution had already examined thirteen witnesses, when an application was moved to recall PW3 Gurinder Singh for his further cross-examination, by moving an application under Section 311 Cr.P.C. That application has been rejected by the Trial Court vide order dated 05.02.2020, which is impugned in this revision.

It is contended by learned counsel that some material questions could not be put to PW3 Gurinder Singh, which came to the knowledge of the counsel for the accused after examination of the witnesses.

Perusal of the application under Section 311 Cr.P.C. (Annexure P-2) would reveal that there is no mention as to what important questions could not be put to PW3. It appears that after the examination of PW3 Gurinder Singh, at whose instance FIR was lodged

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and who has supported the prosecution case, other witnesses were won over and who had turned hostile and it is because of this reason that accused wants to re-examine PW3 Gurinder Singh. There is absolutely no reason to allow the accused-petitioner to further cross-examine PW3 Gurinder Singh.

As such the present revision is dismissed.

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| <b>April 13, 2023</b>       | <b>(DEEPAK GUPTA)</b> |
| sarita                      | <b>JUDGE</b>          |
| Whether reasoned/speaking : | Yes/No                |
| Whether reportable :        | Yes/No                |