

S. No.264

2024:PHHC:006549

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

CRM-M-15788 of 2022

Date of Decision:18.01.2024

Harpreet Singh @ Happy

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Raghav Bali, Advocate for Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

By way of present petitioner filed under Section 482 Cr.P.C., petitioner has prayed for setting aside order dated 10.12.2021 (Annexure P.8) passed by learned Additional Sessions Judge, Karnal, whereby application under Section 311 Cr.P.C filed by the petitioner – accused was dismissed.

Concededly, petitioner was summoned as an additional accused under Section 319 Cr.P.C. After his presence was secured, PW3 – Savita Rani was recalled again and her examination-in-chief and also the cross-examination were conducted. Later on, by changing the counsel, petitioner, who is one of the accused, moved an application under Section 311 Cr.P.C to recall PW3 – Savita Rani for her further examination on the ground that at the time, when her cross-examination was conducted, copies of report under Section 173 Cr.P.C were not available with him.

I have gone through the impugned order passed by learned Additional Sessions Judge, Karnal. Full opportunity had been provided to the counsel appearing for the petitioner to cross-examine the PW3 – Savita Rani. There is no justification to interfere in the impugned order as no illegality therein is found.

Dismissed.

January 18, 2024

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No