

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

**Neutral Citation No. 2024:PHHC:052769  
CRM-M-19166-2024  
Date of Decision: April 19, 2024**

**M/s Varishabh Enterprises**

**...Petitioner**

**Versus**

**Amarjit Singh**

**...Respondent**

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

**Present:-** Mr. Aayush Gupta, Advocate for the petitioner.

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

Heard.

2. During proceedings of complaint No.COMA-12292 of 2017, titled as “*Amarjit Singh v. M/s. Varishabh Enterprises and another*”, pending in the Court of learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana, statement of complainant was recorded and he was duly cross-examined by the counsel representing the accused. Later on, repeated applications were moved by the accused under Section 311 Cr.P.C. for recalling the complainant for further cross-examination. These applications were moved after changing the counsel by the accused on the premise that the previous counsel had not asked some important questions.

3. First such application was dismissed by the Court vide order dated 29.09.2021 (Annexure P-6). Second application for the same purpose was dismissed vide order dated 05.06.2023 (Annexure P-9) and the third application was then dismissed vide order dated 14.03.2024 (Annexure P-10). Now, petitioner-accused is challenging all these three orders.

4. After going through the impugned orders and hearing learned counsel for the petitioner, this Court does not find any ground, so as to

interfere in the impugned orders, as the complainant had already been cross-examined by the counsel, representing the accused. Merely because the accused had later on changed the counsel, the complainant cannot be allowed to be recalled for the purpose of further cross-examination on the premise that some questions were left to be put.

Dismissed.

**April 19, 2024**  
sarita

**(DEEPAK GUPTA)**  
**JUDGE**

Whether reasoned/speaking: Yes/No  
Whether reportable: Yes/No