



CRM-M-23574-2024

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

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CRM-M-23574-2024 (O&M)

Date of Decision: 29.01.2026

Jagmohan Singh @ Manga & Anr.

.....Petitioners

Verus

Central Bureau of Investigation

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Mandeep Singh Sachdev, Sr. Advocate (through VC) with
Mr. Om Malhan, Advocate
for the petitioners.

Mr. Ravi Kamal Gupta, Advocate
for the respondent.

ANOOP CHITKARA J.

Present petition has been filed under Section 482 Cr.P.C. for quashing of order/observation dated 06.04.2024 (Annexure P-1) recorded in the statement of PW9, passed by learned Special Court, CBI, Punjab, whereby plea raised by petitioners for further cross-examination of witness PW9 Dr. Lyla Jose has been declined.

2 Limited points for which the petitioners/accused came up before this Court is the denial of right to cross-examine of PW9.

3 On 06.04.2024, statement of PW9-Dr. Lyla Jose, Medical Superintendent, Sacred Heart Hospital, Maqsudan, Jalandhar, was being recorded and then after the cross-examination, the Court permitted re-examination and the following suggestions were put '*I have been shown mark PW9/A which is my statement. Ex.PW9/1 is a letter and not a statement*'. On this, the defence counsel wanted to further cross-examine PW9, as there was ambiguity in cross-examination and re-examination. Further witness in her examination-in-chief said anything qua recording of her statement, request made by petitioner turned down by making



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observation in the order.

4 We failed to understand that why such a small request was denied because he wanted to examine on the facts and more particularly whether PW9/1 is a statement or a letter had to be clarified from the witness.

5 Counsel for the petitioners submits that he would confine his cross-examination only to the statement recorded during re-examination.

6 We are of the opinion that no prejudice would be caused to the CBI if this vital right of the accused is restored back to them. It is further clarified that if this defect is not corrected at this stage, it may vitiate the trial itself. Given above, the present petition is allowed and PW9 be recalled for further cross-examination and petitioner shall be permitted to cross-examine PW9 only to the statement recorded during re-examination. All pending application(s), if any, stand closed.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

29.01.2026
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Whether speaking/reasoned:	Yes
Whether reportable:	No.