

Jaswinder Singh

Vs

State of Punjab

Criminal Appeal No. 125 of 1989

(L. M. Sharma, M. H. Kania JJ)

20.02.1989

ORDER

1. Special leave granted.

2. Heard learned counsel. It appears before us that in this appeal at least two points arise which require consideration. The first point is whether the trial of the appellant and the conviction are bad because it seems to be common ground that some of the prosecution witnesses have not been allowed to be cross-examined by the accused. Moreover, it will also have to be considered whether a joint trial of the two accused was permissible in law on the facts and circumstances of the case. The revision petition dismissed by the High Court was certainly not a revision petition which the High Court should have dismissed summarily. In our opinion, the High Court was in error in dismissing the revision petition without giving any reason. The judgment of the High Court which is impugned before us, is, therefore, set aside and the High Court will dispose of the revision petition after giving the reasons and in accordance with law. The appeal is disposed of accordingly.

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