

Form No: HCJD/C-121  
**ORDER SHEET.**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**Criminal Revision No.79 of 2019**

Yasir Mehmood.

Vs.

The State and 06 others.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	26.07.2019.	Rana Abid Farooq, Advocate for the petitioner.

Through the instant petition, the petitioner has assailed order dated 20.07.2019, whereby his application for appropriate order was dismissed.

2. Learned counsel for the petitioner contended that an FIR was lodged against the petitioner bearing FIR No.59/2017, dated 14.07.2017, offence under Section 302/109 PPC, Police Station Shahzad Town, Islamabad. It was contended that the criminal complaint was also filed in the instant case and subsequently report under Section 173 Cr.P.C was also filed. Learned counsel further contended that after the conclusion of evidence in the complaint, the witnesses mentioned in the challan case were summoned by the Court and their statements were recorded. It was contended that the petitioner was asked to cross-examine the same, which he challenged through an

application on the ground that initially respondents No.2 to 6 be given an opportunity to cross-examine.

3. Arguments advanced by learned counsel for the petitioner have been heard.

4. The facts leading to filling of the instant petition have been mentioned in the contentions of the learned counsel for the petitioner, hence need not be reproduced.

5. Under Section 540 Cr.P.C., learned Trial Court, at any stage of the proceedings, can summon any witness, whose testimony it is deemed necessary for the just adjudication of the case, which was accordingly done by the learned Trial Court. The statement of the court witness has been recorded and the parties are asked only to cross-examine the witnesses. The fact that any party which cross-examines first would not be prejudiced. The impugned order does not suffer from any illegality or jurisdictional error warranting interference.

6. In view of the above, the instant petition is devoid of merit and is **dismissed in limine** accordingly.

**(AAMER FAROOQ)**  
**JUDGE**