



SC to see if witnesses can be recalled at accused's instance

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New Delhi: The [Supreme Court](#) on Wednesday said the [Delhi](#) Uber cab rape case was of far reaching consequences and it was going to lay down the law on whether witnesses could be recalled at the instance of the accused.

"We are going to lay down the law whether witnesses can be recalled at the behest of an accused," said the bench of Justice J.S. Khehar and Justice S.A. Bobde, as it directed that the record of the trial court proceedings be transferred to the apex court before the next date of hearing on April 22.

The court told the counsel of accused cab driver [Shiv Kumar Yadav](#) to submit the records that were in vernacular language to the office of Attorney General Mukul Rohatgi within three days and they would be translated into English in a week's time.

The court said this during the hearing of two petitions one by the rape victim and the other by Delhi Police challenging the March 4, 2015 Delhi High Court order permitting the recall of 13 witnesses, including the victim, for re-examination.

The apex court on March 10 had stayed the high court order permitting the re-examination of the victim and other witnesses by the accused driver.

The apex court had also stayed trial court proceedings in the case.

The court also asked all parties to inform it about the judgments they were going to rely on in support of their pleas so that the bench can look into them in advance.

"Judgment that you wish to cite, if you give us we will come prepared," the court told counsel Colin Gonsalves appearing for the victim, the Attorney General appearing for the state and the counsel for the accused.

Giving time to the counsel for the accused to marshal his case by going through the relevant documents and records, the court declined his plea for six weeks' time saying: "You are the beneficiary of the order (under challenge)... it is a matter of far reaching consequences. We will not delay it further."

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