

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

CRM-M-27815-2015
Date of decision: 24.08.2015

Suresh Kumar

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sapan Dhir, Advocate for the petitioner.

Rajan Gupta, J.

This is a petition under Section 482 Cr.P.C. seeking quashing of order dated 27.7.2015, passed by Chief Judicial Magistrate, Jalandhar, whereby application under section 311 Cr.P.C. filed by respondent No.2 has been allowed.

Learned counsel for the petitioner has relied upon judgment reported as *Rajaram Prasad Yadav Vs. State of Bihar and another, 2013 (3) R.C.R. (Criminal) 726*.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR in this case was registered on 16.04.2010 regarding incident dated 5.3.2010. Charge was framed on 17.01.2015. Complainant was examined in chief in part. Remaining examination-in-chief of PW-1 was also recorded. However, case was deferred for her cross-examination. At this stage, application under section 311 Cr.P.C. was

moved for permission to produce copy of complaint as additional evidence. One opportunity has been granted by the court for cross-examination of PW-1.

I find no infirmity with the order. It is well settled that application under section 311 Cr.P.C. can be allowed at any stage of the trial and provision has to be liberally interpreted. There is, thus, no ground to interfere in inherent jurisdiction of this court. There can be no dispute regarding proposition of law laid down in *Rajaram's case* (supra). However, in peculiar facts and circumstances of the case, same cannot help the petitioner.

Dismissed.

(RAJAN GUPTA)
JUDGE

24.08.2015
'Rajpal'