

**271 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No. M-43407 of 2014 (O&M)
Date of Decision: 27.01.2015

Dr. Anjali Gupta

..... Petitioner

Versus

State of Haryana and Another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K.C. PURI.

Present: Ms. Priya Singla, Advocate for
 Mr. Dinesh Arora, Advocate
 for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

None for respondent No. 2.

K.C. PURI, J. (ORAL)

As per office report, service is complete, but none has appeared on behalf of respondent No. 2.

Reply on behalf of respondent No. 1-State has been filed. It be taken on record.

This is a petition under Section 482 Cr.P.C. for setting aside the order dated 02.12.2014, passed by Ms. Savita Kumari, JMIC, Rohtak, whereby the application filed by the petitioner-complainant under Section 311 Cr.P.C. for producing the documents has been disallowed.

The challenge is in respect of that part of the order only vide which application for producing the documents has been disallowed, however, the petitioner was allowed to examine three witnesses by giving two opportunities vide impugned order.

The only contention raised is that the case is fixed for evidence of the complainant and the documents required to be produced

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are the certified copies of record and are per-se admissible and that should have been allowed.

Notice was given to the opposite party. The complainant has not come present.

Learned State counsel has not opposed the application.

I have heard learned counsel for both the parties.

The documents sought to be produced by way of additional evidence are part of judicial record and are in context to order passed by Commissioner of Income Tax (Appeals) that are per-se admissible. The case is fixed for evidence of the complainant. So, the trial Court should have allowed the documents.

In these circumstances, the order dated 02.12.2014 stands modified and the petitioner is allowed to produce the documents sought to be produced.

Disposed of.

A copy of this order be conveyed to the trial Court for compliance.

January 27, 2015
dk kamra

**(K.C. PURI)
JUDGE**