

CRM-M-4937-2015 (O&M)

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

**CRM-M-4937-2015 (O&M).
Decided on: February 13, 2015.**

Joginder Singh

..... Petitioner(s)

Versus

Anurag Malik

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Rakesh Dhiman, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

Petitioner is aggrieved by the dismissal of his application under Section 311 Cr.P.C., seeking to resummon the complainant who had appeared as CW.1 for further cross-examination with an objective to confront him with certain facts including the fact that the complainant himself is an accused in proceedings under Section 138 of the Negotiable Instruments Act, initiated by the petitioner and electronic C.D., wherein some conversation between the parties stand recorded.

After hearing the learned counsel for the petitioner and going through the record, it is apparent that electronic C.D., is already part of the record though the complainant has denied the admissibility of the same.

So far as the proceeding under Section 138 of the Negotiable Instruments Act of dishonour of cheque of the

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complainant is concerned, the complainant has already been put the said fact.

In view of above said circumstances, I do not find any ground to interfere in the order passed in application under Section 311 Cr.P.C.

The petition is dismissed without prejudice to the rights of the petitioner to produce relevant documents in accordance with law while producing his defence evidence. In case he wants to place on record certain documents, the provisions of Section 294 (3) Cr.P.C., may be availed of in case the documents are certified copies of the orders passed by any Court.

February 13, 2015.
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(M.M.S. BEDI)
JUDGE