

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-10551 of 2015 (O&M)
Date of decision: March 03, 2016.

Kamlesh Sharma

... **Petitioner**

v.

State of Punjab etc.

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Asstt. Advocate General, Punjab.

Mr. A.S. Manaise, Advocate for respondent Nos.2 to 21.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

Impugned in the present petition is the order dated 27.11.2014 passed by learned Judicial Magistrate First Class, Gurdaspur, vide which an application filed by the complainant-petitioner to produce the CD and certified copies of the judgment and decree dated 8.2.2013, was dismissed and the evidence of the prosecution was closed by order.

I have heard learned counsel for the parties.

It has come out that so far as the certified copies of the judgment and decree dated 8.2.2013 are concerned, the same can be tendered into evidence and there can be no objection to the same.

Perusal of the file shows that the case is 9 years old. The case is now fixed for recording the statement of the accused under Section 313 Cr.P.C. There has to be some end to the litigation. The CD cannot

straightway be proved. For that purpose, additional witnesses are required to be summoned and the CD has to be put to the witnesses. Therefore, after so much delay, the additional evidence to prove the CD cannot be allowed and was rightly dismissed by the lower court. However, the petitioner is permitted to produce/tender in evidence the judgment and decree dated 8.2.2013. Accordingly, the petition is partly allowed and partly dismissed.

March 03, 2016.
kadyan

[Kuldip Singh]
Judge