

**120-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No.M- 13007 of 2016
Date of Decision: April 21, 2016**

Vijender

.... Petitioner

vs.

Kaptan Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sudhir Aggarwal, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. 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 01.04.2016 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Gurgaon, vide which the application filed by the petitioner for additional evidence was dismissed.

Learned counsel for the petitioner contends that the petitioner wants to tender into evidence an envelope, which contains the notice and the acknowledgment showing that the notice was received.

A perusal of the impugned order shows that earlier also, one application under Section 311 Cr.P.C. was filed and the same was allowed. The case is at the arguments stage. These documents cannot be tendered into evidence as the statement of the complainant will be required to be made again and liberty will have to be given to the opposite party to cross-examine the complainant on

the point of said documents. Thus, it will lead to reopening of the case. Since the case is already mature and sufficient opportunities were also given to the petitioner. There is no ground to interfere in the impugned order.

Accordingly, the present petition stands dismissed.

April 21, 2016
sarita

(KULDIP SINGH)
JUDGE