

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.22275 of 2016

Date of Decision: 8.7.2016

Bhupinder Kumar @ Bhindi and others

...Petitioners

Vs.

State of Punjab

..Respondent

CORAM: Hon'ble Ms.Justice Ritu Bahri

Present: Mr.B.D.Sharma, Advocate for the petitioners.

Ritu Bahri, J. (Oral)

The petition has been filed for quashing of order dated 4.3.2016 (Annexure P-5) whereby the application of the petitioners for additional evidence during the pendency of Crl.Appeal No.36 of 2015 has been declined by the Appellate Court.

A perusal of the order (Annexure P-5) shows that the presence of the witnesses on the spot itself have not been named by the petitioner and they have been named for the first time at appellate stage and the only excuse for not giving their names because of the mistake on the part of the counsel.

In my view, this application has been rightly dismissed as mistake of the counsel cannot be a ground to create fresh evidence at this stage, therefore, the petition stands dismissed.

8.7.2016
Meenu

(Ritu Bahri)
Judge