

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-248 of 2016 (O/M)
Date of decision : 7.1.2016

Harmesh Singh

..... Petitioner

Versus

Sajjan Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Nand Lal Sammi, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Impugned in the present petition is the order dated 2.12.2015, passed by the learned Additional Sessions Judge, Patiala, upholding the order dated 7.10.2015, passed by the learned Judicial Magistrate 1st Class, Rajpura, District Patiala, vide which the application of the present petitioner filed under Section 311 Cr.P.C. for additional evidence was dismissed.

Learned counsel seeks one more opportunity, subject to payment of costs.

I have heard the learned counsel for the petitioner and have also carefully gone through the file.

The perusal of the impugned order shows that a complaint under Section 138 of Negotiable Instruments Act, 1881, is

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pending since January, 2013. In this case, the accused was given as many as nine effective opportunities to conclude his defence evidence and ultimately, his evidence was closed by orders on 30.3.2015. Thereafter, the accused remained absent and proceedings were initiated to declare him a proclaimed offender. However, he later on turned up on 20.8.2015 when the thirty days waiting period to declare him a proclaimed offender was going to be over. Later on, he filed this application on 11.9.2015.

I am of the view that there has to be some end to the litigation. In this case, nine effective opportunities were granted to the accused to conclude defence evidence. There is no ground to grant any additional opportunity.

Hence, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

7.1.2016
sjks