

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

CRM-M-41428-2016

Date of decision: 22.11.2016

Ravinder Singh

...Petitioner

Versus

Omesh Kumar

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.TPS Makkar, Advocate for the petitioner

SNEH PRASHAR, J.

The present petition under Section 482 of the Code of Criminal Procedure has been filed for setting aside the order dated 31.8.2016 (Annexure P5) passed by learned Sub Divisional Judicial Magistrate, Malout in case No.17-2/20.1.2014 titled "Omesh Kumar vs. Ravinder Singh' under Section 138 of the Negotiable Instruments Act.

After arguing for some time, learned counsel for the petitioner submits that he may be allowed to withdraw the present petition with liberty to file an application before learned trial court for additional evidence in order to prove the conversation between the complainant and the 3rd person by taking sample of voice of the

complainant.

Dismissed as withdrawn.

In case, the petitioner moves an application for additional evidence for taking voice sample of the complainant for proving the conversation between the complainant and the third person, the same shall be decided by learned trial court purely on merit as per law.

22.11.2016
gsv

(SNEH PRASHAR)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No