

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43060-2015

Date of decision: January 18, 2016

Shri Ram Transport Finance Company Ltd. ...Petitioner

Versus

Dhanpat Rai ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Sandhu, Advocate for the petitioner.

Rajan Gupta, J.

This is a petition under Section 482 Cr.P.C. seeking quashing of order dated 19.11.2015, passed by Sub Divisional Judicial Magistrate, Abohar, whereby application under section 311 Cr.P.C. filed by the petitioner has been dismissed.

Learned counsel for the petitioner has assailed the order. According to him, court has erroneously dismissed the application under section 311 Cr.P.C. for placing on record attested copy of resolution passed by the Board of Directors alongwith Power of Attorney. Thus, impugned order needs to be set-aside.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

A Criminal Complaint No.77-2 of 2014 under section 138 of the Negotiable Instruments Act was instituted by the petitioner before the trial court on 15.02.2014. The complainant himself appeared as CW1 and

closed his evidence. Thereafter statement of accused under section 313 Cr.P.C. was recorded. When the case was fixed for defence evidence, instant application under section 311 Cr.P.C. was filed by the petitioner seeking permission for placing on record copy of resolution alongwith power of attorney.

I find no infirmity with the order. It is apparent that trial is nearing its culmination. It appears, application under section 311 Cr.P.C. has been moved by the petitioner only to delay the trial. The trial court has, thus, rightly rejected the application. There is no ground to interfere in inherent jurisdiction of this court.

Dismissed.

(RAJAN GUPTA)
JUDGE

January 18, 2016
'Rajpal'