

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

**CRR-2508-2015**

**Date of Decision: October 04, 2016**

Amarjit Gupta

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

**Present:** Mr. Vivek Aggarwal, Advocate,  
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

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**M.M.S. BEDI, J (Oral)**

This is a revision petition against the order dated 08.07.2015, by virtue of which the Special Judge had dismissed the application to summon the record for confronting the same in cross-examination to the prosecution witnesses.

A perusal of the order dated 08.07.2015, indicates that the main reason for dismissing the application for summoning the documents is that the documents referred in the application are already on record of the case.

Learned counsel for the petitioner submits that the said fact has been wrongly recorded by the trial Court because the documents sought to be summoned are not part of the record.

It will not be appropriate for this Court, in the exercise of power under Section 482 Cr.P.C., to doubt the observation made by the Special Judge.

In view of the above, the present petition is disposed of with an observation that in case, at any stage, it comes to the knowledge of the trial Court that the relevant and material documents, which are required to be put to the witnesses, are not part of the record and were mentioned in the application which was dismissed on 08.07.2015, it will be open to the trial Court to consider the prayer afresh and, in such case, it will not prejudice the rights of the petitioner-accused to refer to the documents at the time of cross-examination or to produce the documents in defence, in case, these are relevant for the just decision of the case.

**(M.M.S. BEDI)**  
**JUDGE**

**October 04, 2016**  
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**Whether speaking/reasoned : Yes/No**

**Whether reportable : Yes/No**