

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-30715 of 2017

Date of Decision: 22.08.2017

Neeru Saxena

... Petitioner(s)

Versus

Anil Kumar and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Ashwani Bhardwaj, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for setting aside order dated 101.7.2017 (Annexure P1), passed by learned Judicial Magistrate Ist Class, Hisar and order dated 17.7.2017 (Annexure P2), passed by the learned Additional Sessions Judge, Hisar.

Learned counsel for the petitioner contended that petitioner wanted to examine Handwriting Expert in defence evidence and that request was declined by the Court of learned Magistrate and revision petition was also dismissed by the learned Additional Sessions Judge without considering the fact that petitioner was to lead his defence evidence.

Having considered the submissions of learned counsel for the petitioner and perusal of record, a criminal complaint was filed against the petitioner in the year 2015; he put in appearance and was continuously appearing and attending the Court proceedings. After availing numerous

adjournments, he filed an application under Section 311 Cr.P.C. for allowing

him to summon the Handwriting Expert, which was rightly declined by the learned Court below as it was just a ground for seeking adjournments one after the other. Though, this plea was available with the petitioner right from the beginning and he should have moved an application at an initial stage and not at the stage when petitioner has already availed numerous adjournments. Thus, there is no ground for setting aside the impugned orders and the present petition stands dismissed.

(Shekher Dhawan)
Judge

August 22, 2017
“DK”

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No