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

CRM-M-33688-2017 (O&M)

Date of Decision: 19.09.2017

Mahesh Kumar Mittal

..... Petitioner

Versus

Gurdeep Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. R.S. Randhawa, Advocate,
for the applicant-petitioner.

Mr. Rajesh Kumar Girdhar, Advocate,
for the respondent.

SUDIP AHLUWALIA J. (ORAL)

CRM-29772-2017

Applicant-petitioner is permitted to place the documents being
Annexures P-7 to P-9 on record.

Application stands disposed off.

CRM-M-33688-2017

In this petition, the petitioner seeks direction upon the Court of Additional Sessions Judge, Sri Muktsar Sahib to decide his application for additional evidence dated 01.05.2017, which was filed under Section 391 of the Cr.P.C. His grievance is that the appeal has been listed for final hearing/disposal without passing any order on his aforesaid pending application.

[2]. Irrespective of the merits in the petitioner's said application, it is incumbent upon the concerned forum to pass an appropriate order upon the same one way or the other before finally deciding the main matter itself

on merits.

[3]. Consequently, this petition is disposed off with a direction upon Ld. Appellate Court to pass a formal reasoned order on the petitioner's aforesaid application before proceeding further for final hearing in the main appeal, within two weeks from the date of communication of this order.

19.09.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No