

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

**CRM-M No.6630 of 2017 (O&M)
Date of decision : September 04, 2017**

Dattatray V. Dhavade

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.C. Thatai, for the petitioner.

Mr. R.K. Makkad, DAG, Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The grouse of the petitioner is that he has filed an application under Section 391 Cr.P.C. for leading additional evidence before the first appellate court i.e. learned Addl. Sessions Judge, Bhiwani. The prayer is for directing the learned Addl. Sessions Judge, Bhiwani to decide his application first before deciding the appeal.

After considering the circumstances of the case, the petition is allowed and the learned Addl. Sessions Judge, Bhiwani, in whose court, the application under Section 391 Cr.P.C. for leading additional evidence and the appeal are pending, is directed to decide the application of the petitioner for leading additional evidence first, thereafter, proceed to decide the appeal.

**(KULDIP SINGH)
JUDGE**

September 04, 2017

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No