

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-907 of 2017
Date of Decision: 13.01.2017

Balwinder Kaur

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.M.S.Atwal, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

The petitioner has come up in revision against the 04.11.2016 (Annexure P-5) passed by learned JMIC, Dasuya, whereby, his application under Section 311 Cr.P.C. for leading additional evidence has been dismissed.

The trial Court dismissed the application on the ground that the prosecution was having knowledge that the present phone number was in the name of Veer Kaur. It was only after the evidence of the Nodal Officer, that the prosecution had tried to put forth a newly improved version.

Learned counsel for the petitioner has referred to examination-in-chief of Mr.S.P.Jain, Nodal Officer, Bharti Airtel Limited (Annexure P-2) on 05.10.2016 whereby he had brought the summoned recording pertaining to the customer application form of the mobile number 9876611153 which was issued in the name of Joginder Singh and further customer application form regarding mobile number 9851511402 which was issued in the name of Veer Kaur wife of Piara Singh resident of House No.97, village Bains Awan,

further submits that from the very beginning the petitioner/prosecution was reiterating the same mobile number on which petitioner received the alleged phone call from the accused-Joginder Singh i.e. 9851511402 from his mobile number i.e. 0876611153. Therefore, evidence of Veer Kaur wife of Piara Singh is very much required in order to bring out the actual truth and to meet the end of justice.

In view of the above, the present petition is allowed and one effective opportunity is being given to the petitioner to examine her mother-in-law Veer Kaur.

(RITU BAHRI)
JUDGE

13.01.2017.
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>