

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

**CRR No.901 of 2015 (O&M)
Date of Decision: October 25, 2017**

Ved Ram

...Petitioner

VERSUS

Mukesh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Raje Ram Kaushik, Advocate
for the petitioner.

Mr.M.S.Kathuria, Advocate
for respondents No.1 and 2.

Mr.Brijesh Sharma, Asstt. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

The present revision petition has been filed by petitioner against Mukesh Kumar and other respondents, challenging the impugned order dated 23.02.2015 vide which the application filed by the complainant-petitioner under Section 311 Cr.P.C. was dismissed.

Notice of motion was issued. Learned counsel for respondents No.1 and 2 as well as learned State counsel appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that during the pendency of the trial

before learned lower Court, an application under Section 311 Cr.P.C. was filed by the complainant for his re-examination because on the previous date when his statement was recorded, few essential documents could not be tendered and now he wanted to make statement for proving those documents. Learned Magistrate, dismissed the application vide impugned order dated 23.02.2015 by holding that it is vague application as no document has been mentioned which the complainant could not produce and which he wants to produce.

I have also gone through the record and also seen the copy of the application, which has been placed on record. In the application, no specific document has been mentioned which the complainant-petitioner wants to produce before the Court. Otherwise also, the petitioner has filed this petition against the order vide which learned trial Court has dismissed the application under Section 311 Cr.P.C. It is an interlocutory order and no revision is maintainable. Only the petition under Section 482 Cr.P.C. for quashing the order can be filed. The revision is specifically barred against the interlocutory order as per Section 397 Cr.P.C.

In view of the above discussion, the present revision petition stand dismissed being not maintainable.

October 25, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No