

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

Crl. Misc. No. M-26065 of 2018

Date of decision : 02.07.2018

Dimple Chhabra

... Petitioner

versus

State of Haryana

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. S.S. Siao, Advocate
for petitioner.**

ANITA CHAUDHRY, J.

The petitioner-complainant is aggrieved with the order dated 05.06.2018 passed by the trial Court dismissing her application filed under Section 311 Cr.P.C. for leading additional evidence.

FIR No. 227 dated 28.07.2014 was registered at the instance of the petitioner against the husband and in-laws under Sections 406 and 498-A IPC at Police Station City Kaithal. When the case was at fag end and was fixed for recording the statement of the accused under Section 313 Cr.P.C. an application was filed for producing the bills showing purchase of clothes, furniture, jewellery and the amount paid to the banquet hall enumerated in para No.4 (a) to (j) of the application. Permission was sought to examine the witnesses from the concerned shops to prove the bills, by way of additional evidence. The petitioner additionally sought to introduce copies of judgments rendered in maintenance case and divorce petition dated 22.02.2018 and 31.03.2016 respectively.

The trial Court after hearing the parties dismissed the application.

I have heard learned counsel for the petitioner and have gone through the paper book carefully and find no merit in the application. The documents sought to be produced were within the knowledge of the petitioner as they claim that it was shown to the Investigating Officer. Both the complainant and her mother stepped into the witness box on 13.01.2017 and 23.08.2017 respectively. No attempt was made by the complainant to produce these documents when the evidence was going on. The application was moved when the case was fixed for recording the statement under Section 313 Cr.P.C. It was rightly observed by the trial Court that the petitioner wanted to delay the proceedings and the application had been filed to fill up the lacuna, and could not be permitted. There is no illegality or perversity in the impugned order.

The petition is dismissed in *limine*.

July 02, 2018
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No