

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

CRR No.714 of 2018

Date of decision: February 26, 2016

Tarif Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ravinder Malik, Advocate for the petitioner.

Rajan Gupta, J.

This is a revision petition filed by complainant Tarif Singh, against the order dated 09.02.2018, passed by Additional Sessions Judge, Rohtak, whereby application under section 311 Cr.P.C. for leading additional evidence, filed by the petitioner has been dismissed.

The order has been assailed on the ground that trial court has not appreciated the plea of the petitioner in correct perspective. Powers under section 311 Cr.P.C. are wide, thus, the court ought to have allowed the application.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR in question was registered at Police Station Urban Estate, Rohtak on 20.10.2014. After completion of investigation, challan was presented before the court. During pendency of trial, complainant (petitioner herein) filed application under Section 311 Cr.P.C. for leading

additional evidence for producing certain documents including order dated 28.7.2014, passed by Sub Divisional Magistrate, Rohtak under section 145 Cr.P.C. as well as FIR No.274 dated 23.5.2016, registered in Police Station Urban Estate, Rohtak, under sections 195-A/506 IPC, on the ground that accused threatened the witnesses and thus, said documents are necessary to be produced and proved on record. The trial court has dismissed the application. It observed that aforesaid FIR has no concern with the instant case as the documents sought to be produced, have no concern with the adjudication of the instant case under section 302/120-B/201 IPC. I find no infirmity with the order. It is apparent that trial is nearing its culmination. Necessary witnesses have already been examined by the trial court. It appears, petitioner only wants to delay the trial. There is no ground to interfere in inherent jurisdiction of this court.

Dismissed.

(RAJAN GUPTA)
JUDGE

February 26, 2016
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No