

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

CRR 4490 of 2018

Date of Decision: December 11, 2018

Amit	Versus	Petitioner
State of Haryana		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Harish Mehla, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

Upon hearing at length learned counsel for the petitioner and on perusal of records as is therein the impugned order, the factum ought to be in the affidavit of ASI Ram Kumar is that the doctor handed over the blood sample to him, which was deposited by him with the MHC but due to inadvertence could not be mentioned and thus wants to lead so in his additional evidence. However, it is so the story of the prosecution that reflects from the report under Section 173 Cr.P.C., thus, there is no cause to fill in lacuna or will in any manner prejudice the accused at the trial.

Thus, in the light of this fact to the passing of the impugned order dated 17.11.2018, no valid case for institution of the present petition challenging the said order is made out. In the light of the same, finding no merit in the petition, the same stands dismissed in *limine*. However, it is made clear that the prosecution shall confine itself to mentioning of this fact only in their additional evidence and shall not go beyond thereto.

Disposed off.

December 11, 2018
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No