

CRM-M-4314-2019 and
CRM-M-4399-2019

Date of decision: April 04, 2019

Harvinder Singh

....Petitioner

Versus

Ashwani Kumar

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent: Mr. Karan Bhardwaj, Advocate
for the petitioner.Mr. V.D. Sharma, Advocate
for the respondent.**ARVIND SINGH SANGWAN, J.** (Oral)

Prayer in the instant petition is for issuance of a direction to the Additional District Judge, Yamuna Nagar to decide the application(s) dated 23.08.2017 (Annexure P2) filed by the petitioner for leading additional evidence in CRA No.41 and 42 of 2015 dated 23.02.2015.

On 30.1.2019, the following order was passed:-

“Counsel for the petitioner contends that by way of proposed additional evidence, the petitioner has to prove the transcript of a CD (Compact Disc), which is already exhibited as Ex.C5. It is further submitted that, in fact, in a civil suit between the parties, the petitioner has also moved an application for obtaining the voice sample of the complainant as well as his son and the said application was declined and thereafter, the petitioner filed a petition i.e. CR No.4176 of 2018 before this Court, in which the Civil Court is directed to adjourn the case beyond the date given by this Court and the next date is stated to be 05.02.2019.

Notice of motion for 4.4.2019.

In the meantime, the lower appellate Court shall adjourn the case beyond the date fixed before this Court.”

Counsel appearing for the respondent submits that he has no objection if the direction be issued to the learned appellate Court to decide the application(s) dated 23.8.2017, in both the petitions, in a time bound manner.

Since the parties are not contesting the present petition(s) and have only prayed that the lower Appellate Court may be directed to decide the application(s) dated 23.8.2017 in time bound manner, these petitions are being disposed of with a direction to the learned lower appellate Court to decide the application(s) expeditiously, preferably within a period of three months from today.

Petitions stand disposed of.

**(ARVIND SINGH SANGWAN)
JUDGE**

April 04, 2019
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No