

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15209-2019
DECIDED ON: 04.04.2019

RAMNIK BANSAL

...PETITIONER..

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Bijender Dhankhar, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in this petition under Section 482 Cr.P.C. has been made for quashing order dated 18.12.2017 (P-7), vide which the application moved by the petitioner under Section 311 Cr.P.C., was dismissed.

At the outset, learned counsel for the petitioner restricted his prayer to permit him to produce the certified copies of judgments and decrees dated 19.04.2017, 29.11.2016, passed in Civil Suit titled as "Piare Lal v. Gurjit Singh" and "Amrit Lal vs. Piare Lal" and bail application bearing No.17 of 21.01.2009, decided on 05.02.2009 in FIR No.4 dated 06.01.2009 and order in additional evidence, urging that the bone of contention which has been raised in the impugned criminal case is akin to civil cases, which have been decided in favour of the petitioner. Thus, they are very much relevant for effective adjudication

of the impugned case.

The judgments sought to be produced by the petitioner are having seal of the court. The accused party was party to the same. Therefore, their production would not be a surprise to the respondent.

The endeavour of the court is always to impart justice. Therefore, new and relevant fact, having persuasive value touching the core controversy between the parties must be allowed to be brought on record to assist the trial court.

In view of discussion made above, petition is accepted. Order dated 18.12.2017 passed by the trial court is set aside. Consequently, trial court is directed to receive, exhibit the aforesaid judgments/documents in evidence on behalf of the petitioner and consider them at appropriate stage.

04.04.2019

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**(RAMENDRA JAIN)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**