

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13893-2019 (O&M)

Date of Decision:- 27.3.2019

Vikash Aggarwal

... Petitioner

Versus

Archana Gupta

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gaurav Singla, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court assailing order dated 2.3.2019 passed by learned Additional Sessions Judge, Faridabad, whereby while dismissing a revision petition filed by the petitioner/accused challenging order dated 7.1.2019, the order accepting application under Section 311 Cr.P.C. has been upheld.
2. Having heard the learned counsel for the petitioner and having also perused the impugned orders, I find that there is no infirmity in the impugned order, as the respondent/complainant by way of producing the additional documents seeks to establish his case as regards the existence of a legal liability. The case is still at the stage of recording the complainant's evidence. Law in this regard is fairly liberal. No doubt the acceptance of the said application would lead to some delay in the trial, but the same can be compensated by imposing costs.

Although, the trial Court has imposed a cost of ₹ 1000/- but the same is rather on the lower side. As such, while dismissing the petition, the impugned order is modified and it is ordered that the complainant shall pay costs to the tune of ₹ 10,000/-, out of which ₹ 1000/- shall be deposited in District Legal Services Authority, Faridabad and ₹9,000/- be paid to the petitioner/accused.

March 27, 2019

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No