

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

**CRM-M No.22728 of 2019 (O&M)  
Date of decision : 21.05.2019**

Paramvir Singh

..... Petitioner

versus

Mahender Kumar Goyal

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present :     Mr. Yash Dev Kaushik, Advocate  
                  for the petitioner.

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**AJAY TEWARI, J. (Oral)**

This petition has been filed under Section 482 Cr.P.C. for quashing of impugned order dated 07.12.2018 passed in complaint No.2135 dated 13.10.2016 under Section 138 of Negotiable Instrument Act vide which the application under Section 311 Cr.P.C. filed by the petitioner for additional evidence has been dismissed vide order dated 07.12.2018 (Annexure P-3).

The petitioner had filed a complaint against the respondent in which it was averred that the respondent had friendly relations with the petitioner and under that friendly relation had taken a cash loan of Rs.8.00 lakhs from him on 10.09.2012. He had thereafter issued a cheque which bounced and hence the complaint.

After the petitioner had appeared as his own witness he moved an application (Annexure P-2) in which he stated that he wanted to place on record his pass book and his retirement papers (to show that he had the funds) by way of additional evidence. The trial Court having dismissed the application, the present petition has been filed.

It is not disputed that the documents which are now being sought to be produced by the petitioner were well within his knowledge and power at the time when the complaint was filed. There is no explanation why the same were not filed along with the complaint.

In the circumstances, no fault can be found with the impugned order (Annexure P-3)

Petition stands dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**21.05.2019**

*pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No