

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1168 of 2020 (O&M)
Date of Decision : 17.02.2020

Dalbir Singh ...Petitioner

Versus

Jasvir Kaur ...Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ramesh Sharma, Advocate
for the petitioner.

ALKA SARIN, J (ORAL)

1. By way of the present revision petition, the defendant-petitioner has sought to challenge the order dated 04.02.2020 vide which, the application for additional evidence filed by him had been dismissed.

2. Vide the application filed under Section 151 of the Code of Civil Procedure, 1908, the defendant-petitioner had sought permission to place on record certified copies of the complaint under Section 156(3) of the Criminal Procedure Code and the summoning order dated 18.11.2017 as additional evidence.

3. Learned counsel for the defendant-petitioner contends that the defendant-petitioner is NRI and he had disclosed the said fact to the counsel but the counsel had failed to bring on record the said evidence. A perusal of the file shows that the case is at the stage of final arguments. The evidence of the defendant-petitioner was closed on 13.09.2019, after availing 38 opportunities. The certified copy of the complaint dated

03.05.2016 and the summoning order dated 18.11.2017 was well within the knowledge of the present petitioner. However, till 13.09.2019, the defendant-petitioner chose not to bring the said documents on the record by way of evidence and now when the matter is at the stage of conclusion i.e. for final arguments, the said application has been moved.

4. There is no cogent reason which has been given either in the application or at the time of the arguments for not producing the said evidence earlier.

5. In view of the above, finding no merit in the present revision petition, the same is dismissed.

(ALKA SARIN)
JUDGE

17.02.2020
Manpreet

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