

Sr.No.115

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

**CRM-M-51835-2019
Date of decision:17.01.2020**

Ravinder Singh

... Petitioner(s)

versus

State of Punjab and another

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 482 Cr.P.C with a prayer for setting aside the order dated 02.11.2019 (Annexure P-9) passed by learned Sessions Judge, Amritsar in revision petition which was filed against the order dated 13.05.2019 (Annexure P-7) passed by the learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar.

The petitioner who is an accused in Complaint under Section 138 of Negotiable Instruments Act, was filed before the Court of learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar. Thereafter, an application was filed under Section 254 (2) Cr.P.C for production of revenue record and other title deed / deeds TC Allotment No.45 Murabba No. 485 – 25 Bigha Rohi Suratgarh on the ground that the subject matter of the agreement to sell dated 02.12.2015 itself was not existing in the revenue record and therefore, revenue record is necessary to be produced. Learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar dismissed the application on the ground that the

document which the petitioner wishes to procure is a revenue record. The learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar dismissed the application of the petitioner and fixed the matter for complainant evidence.

Thereafter, the petitioner filed a revision petition before the learned Sessions Judge, Amritsar and vide order dated 02.11.2019 (Annexure P-9), learned Sessions Judge, Amritsar dismissed the revision petition by observing that the document which is sought to be produced is a revenue record and the petitioner can always produce the said document at the relevant stage of trial when he will be given an opportunity to lead his evidence.

After hearing the learned counsel for the parties and after perusing the impugned orders passed by both the Courts below, it can be seen that the petitioner has moved an application under Section 254 (2) Cr.P.C for production of the revenue record which is otherwise also a public record and the certified copies of the same are *per se* admissible and he can always produce the record at the relevant stage of trial if he so desires. Therefore, filing of such kind of application at this stage would not be a correct method adopted by the petitioner.

In view of the above, present petition is dismissed. However, nothing stated herein above, shall be construed to be an expression on the merits of the case.

17th January, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>