

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

206

CRM-M-52186-2018

Decided on : 28.07.2021

Dilmohan & others

... Petitioners

Versus

Om Parkash

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.S.K.Garg Narwana, Sr.Advocate
with Mr.J.S.Johal, Advocate, for the petitioners.

Mr.Manish Soni, Advocate, for respondent No.1.
(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral):-

Present petition, filed under Section 482 Cr.P.C. by accused Nos.1 to 4, is directed against the order passed by the Trial Court dated 03.11.2018 (Annexure P-4) wherein it allowed the application filed under Section 311 Cr.P.C. in the criminal complaint titled *Om Parkash Vs. Parveen Kataria & others'*. By virtue of the said order, the complainant was given liberty to produce various documents relating to Form No.6, for the purposes of proper adjudication by the Court, in the complaint in question. The said order was stayed by this Court on 28.11.2018 with the condition that the trial may continue but without the documents mentioned in the impugned order being made part of the record.

Mr.Soni, appearing for the complainant, submits that since the application was filed at pre-charge evidence stage and thereafter the proceedings have been stayed, he has no objection if the said order is set aside, with liberty to file a fresh application, with better particulars, giving the details of the documents relied upon, along with advance copy to the opposite side, so that the accused have appropriate opportunity to contest the same.

Accordingly, keeping in view the above, the present petition is allowed and the order dated 03.11.2018 (Annexure P-4) is set aside, with the above-said liberty to the respondent-complainant.

July 28, 2021

Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No