

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-2203-2018
Date of Decision: 20.04.2023

Tejinder Kaur Petitioner
Versus
State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Gurcharan Dass, Advocate for the petitioner.

Mr. Virat Rana, AAG, Punjab.

Mr. Jitender Singh Dadwal, Advocate for respondents No. 2 to 9.

ANOOP CHITKARA, J. (ORAL)

1. Aggrieved by dismissal of the application under Section 311 Cr.P.C vide which was rejected to the trial Court on the grounds that on three times the petitioner had appeared but did not avail the opportunity to rectify the mistake, he has come up before this Court.
2. The petitioner’s stand is that some documents were placed on record by way of photocopies because the originals were with the police. Inadvertently the original were not proved and now he seeks opportunity to prove the same.
3. The trial Court rejected the application on the ground that despite further two opportunities when PW-1 had appeared in the Court she did not take any steps to prove the same and now this is a delay tactics.
4. I have gone through the order which reflects that the trial Court adopted a techincal approach what the petitioner wants, she has to prove exhibits in accordance with law and for this small point alone, this matter is pending for the last five years in this Court.
5. In the entirety of facts and circumstances, the present petition is allowed to the following extent:
 - (a) Parties to appear before the trial Court on 01.05.2023.
 - (b) PW-1 shall prove all the documents on or before 05.05.2023.
 - (c) No further adjournment shall be given.
 - (d) The trial be expedited.

It is clarified that trial Court shall provide enough time to parties to prove their stand/defence.

(ANOOP CHITKARA)
JUDGE

20.04.2023
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No