

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

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2023:PHHC:153615

CR-3322-2019

Date of decision: 02.12.2023

HARPAL SINGH (DECEASED) THROUGH LRS

..Petitioner

Versus

MANJIT SINGH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. H.S. Oberoi, Advocate for respondents.

ANIL KSHETARPAL, J(Oral)

1. The correctness of the interlocutory order passed on 28.02.2019, while permitting further examination of Sh. Navdeep Gupta, the handwriting and fingerprint expert, is assailed by the defendant. The parties to the suit are related to each other or in other words are members of a large family. There was a deed of family settlement between the parties, which is alleged to have been signed by Sh. Harpal Singh (defendant No.1) appended in English and *Gurmukhi* language. Initially, the handwriting and fingerprint expert compared the signatures of Sh. Harpal Singh (defendant No.1) in the English language on the aforesaid document. In the cross-examination, the learned counsel representing the defendant questioned the witness with regard to his opinion on the genuineness of the signatures, which were written in *Gurmukhi* language. Thereupon, the plaintiffs filed an application for further cross-examination of the witness. The trial Court after noticing that the witness is already appearing in the Court, permitted further cross-examination. The defendants have also been granted an opportunity for cross-examining the expert further.

2. This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

3. The learned counsel representing the petitioner contends that the handwriting and fingerprint expert was specifically asked ‘whether he has to say anything further?’, to which he refused. Hence, the Court was not correct in permitting his further examination.
4. On the other hand, the learned counsel representing the respondent while highlighting the fact, which has already been noticed, submits that Sh. Harpal Singh (defendant No.1) has signed the aforesaid document in English as well as *Gurmukhi* language and therefore, the Court in order to solicit a comprehensive opinion, has permitted further examination of the witness.
5. This Court has considered the submissions of the learned counsel representing the parties.
6. The learned counsel representing the petitioner did not dispute that on the document in question, there are multiple signatures of Sh. Harpal Singh (defendant No.1) in different languages.
7. Moreover, the learned counsel representing the petitioner has failed to draw the attention of the Court to any prejudice caused to the petitioner.
8. Hence, no ground to interfere is made out.
9. Dismissed accordingly.
10. All the pending miscellaneous applications, if any, are also disposed of.

December 02nd, 2023

(ANIL KSHETARPAL)
JUDGE

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*