

2024:PHHC:054161
135 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-2577-CII-2024
in/and
CR-2441-2022 (O&M)
Date of decision: 22.04.2024

Makina

....Petitioner

Versus

Subhan Khan and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms.Kulwinder Kaur, Advocate
for Mr. Y.D.Kaushik, Advocate for the petitioner

Mr.Vinay Kumar Pandey, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

CM-2577-CII-2024

1. For the reasons stated in the application, the revision petition is re-admitted for hearing.

2. CM stands allowed. With the consent of the learned counsel representing the parties, the main case is taken on Board for final disposal.

Main case

3. Defendant no.4 assails the correctness of an interlocutory order passed by the trial court, while refusing her permission to produce compact disc and chip containing alleged conversation with Ishak, Stamp vendor. The trial court has held that the case is at the stage of arguments and neither the date on which the conversation was recorded has been disclosed nor the name of the counsel in whose presence it was

allegedly recorded, has been disclosed. Moreover, certificate under Section 65-B of the Indian Evidence Act, 1872 has been annexed.

4. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

5. Learned counsel representing the petitioner submits that there is no provision for filing an application for permission to lead secondary evidence. She submits that the evidence should have been permitted to be led.

6. This Court has considered the submissions made by the learned counsel representing the parties.

7. Learned counsel representing the parties do not dispute the fact that the case is at the stage of final arguments. The petitioner has not filed any application for leading additional evidence.

8. Keeping in view the aforesaid facts, no ground to interfere is made out.

9. Hence, dismissed.

10. All the pending miscellaneous applications, if any, are also disposed of.

22.04.2024
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No