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

.... Petitioner

.... Respondent

2. Learned counsel for the petitioner submits that the Court below gravely erred in allowing the application filed by the respondent(hereinafter referred to as 'complainant') under Section 311 Cr.PC for adducing additional evidence. It has been argued that the Trial Court failed to take into account that the application was filed at an extremely belated stage, solely to fill in gaps in the case of the complainant. Moreover, it has been submitted that the complainant had



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sought to examine the bank clerk, who was not originally listed as a witness in the initial stages of trial. Learned counsel has argued that despite this, the Trial Court allowed the application moved by the complainant vide impugned order dated 15.07.2024 (Annexure P-1).

3. Furthermore, it has been submitted that the complaint itself was not maintainable, as the complainant had been prosecuting the petitioner under the name "Rani Kaur" whereas her actual name is "Ranjit Kaur".

4. Heard learned counsel for the petitioner and perused the relevant material available on record.

5. Learned counsel for the petitioner has asserted that the complainant has been incorrectly prosecuting the petitioner under the wrong name, "Rani Kaur". In the light of this, complainant had filed an application under Section 311 Cr.PC, seeking to summon the Clerk of the concerned Bank where the petitioner had submitted her account opening form and KYC documents in the name of "Rani Kaur". It is well settled law that an application under Section 311 Cr.PC can be filed at any stage of the proceedings during the course of trial and can be allowed, if the Court deems it necessary for the fair adjudication of the case. Since the petitioner has raised a dispute regarding her identity, the additional evidence sought to be adduced by the complainant, particularly the bank account, would be crucial in resolving the issue of identity of the petitioner and would contribute to the just and effective decision of the case.



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6. Resultantly, this Court finds no merit in the instant petition and the same is hereby dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

24.09.2024
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No