

242

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025.PHHC:124323



CR-5535-2022 (O&M)
DATE OF DECISION : 10.09.2025

GURTEJ SINGH

... PETITIONER

V/S

TARSEM SINGH

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

* * *

PARMOD GOYAL, J. (ORAL)

Petitioner is aggrieved by the impugned order dated 31.10.2022 passed by the learned Additional Civil Judge (Senior Division), Phul whereby application dated 15.09.2022 filed by defendant-petitioner for sending pronote and receipt dated 31.10.2016 to Government press, Nasik in order to ascertain the fact that the stamp paper affixed on the pronote and receipt dated 31.10.2016 were not in use in the year 2016 as supply of said sets was stopped in the year 2009 was dismissed.

2. Despite notice, none has put in appearance on behalf of the respondent.

3. The main dispute between the parties is whether pronote is false and fabricated. It is the case of petitioner-defendant that pronote is forged and fabricated. He has taken twin stand that stamp paper as well as receipt stamp are forged one and had not been issued since 2009 and their use in

year 2016 goes to prove that pronote is false and fabricated. Petitioner has also disputed his signatures over agreement. Learned Court of First Instance, however, has noted that the age of stamp papers would be of no consequence as the real controversy is whether the defendant had signed the pronote or not and had accordingly, dismissed the application holding that defendant may examine handwriting expert to disprove his signature.

4. At the stage of collection of evidence, I find that finding given by the learned trial Court that age of stamp paper and receipt stamp is of no consequence cannot be accepted. Let entire evidence as desired by defendant be allowed at this stage and its effect shall be taken in consideration at the time of passing of final judgement. The Court of First Instance shall be free to see the effect of usage of old stamp papers, if it is proved that stamp papers were old as being alleged by petitioner and also by taking in consideration the evidence of parties regarding signature of defendant.

5. Accordingly, present revision petition is allowed with the above observations. Petitioner-defendant shall be given opportunity to examine concerned official from Government press, Nasik. Since the matter is pending since the year 2019 before the learned trial Court, therefore, learned Court of First Instance shall be free to examine concerned official through video conferencing also.

10.09.2025

Janki

**(PARMOD GOYAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No