

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-235-2026

JUDGEMENT RESERVED ON	JUDGEMENT PRO- NOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
05.05.2026	26.05.2026	FULL PRONOUNCED	26.05.2026

Hargobind Bansal alias Raksh BansalPetitioner

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gurnoor Singh, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Ms. Kashika Maheshwary, Advocate
for respondents No.2 & 3.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
19	05.03.2022	Kotwali, Nabha	420, 120B, 467, 468, 471 IPC

1. Challenging the order dated September 17, 2025 passed by Sub Divisional Judicial Magistrate Nabha, the complainant (petitioner herein) has come up before this court by filing the present Criminal Revision Petition.
2. After issuing the notices, despite service, private respondents did not appear and as such this court had appointed Ms. Kashika Maheshwari, Advocate as their Legal Aid counsel.
3. I have heard the counsel for the petitioner, State counsel as well as Legal Aid counsel appointed on behalf of the private respondents No.2 & 3 and gone through the petition and its analysis would lead to the following outcome.
4. The allegations in the FIR are that respondents No.2 & 3 in connivance with each other, had tampered with and forged the sale deed bearing Vasika number 2610 dated 20.01.1981 which at that time was lying in the record rooms of office of Sub Registrar,

Nabha and they wrongly incorporated the property shown to have been purchased by father of accused Gurjit Singh and entered the name in official record of the Sub Registrar Nabha, pertaining to Vasika No.2610 dated 20.01.1981. Based on this allegation, FIR No. 019 dated 05.03.2022 was registered under Sections 420, 467, 468, 471 & 120B of IPC at Police Station Kotwali, Nabha.

5. The trial commenced and the prosecution examined PW2 Rupinder Singh, Registry Clerk.

6. A perusal of the petition points out that statement of PW2 Rupinder Singh was recorded earlier on May 10, 2023 and after that his cross examination was conducted on May 24, 2023 and again cross-examined on November 8, 2023. After that the State filed an application under Section 311 CrPC for re-summoning of PW2 Rupinder Singh Registry Clerk to tender in evidence the copy of alleged sale dated 20.01.1981. It was stated that the copy of alleged sale deed dated 20.01.1981 was taken into police possession during investigation of the present case and it was not tendered in evidence by the prosecution which is a material document.

7. Vide a detailed order dated September 17, 2025 learned trial judge dismissed the said application for multiple reasons. One of the reasons was that the cross examination had completed in November 2023 and the application was filed after a gap of two years and no reason was given for the delay.

8. I have gone through the impugned order which is well detailed and well reasoned and calls for no interference. Furthermore, the cross examination of PW2 had taken place on two occasions. If the copy could not be tendered in examination-in-chief then on two occasions State had the right to place it on record by rebuttal evidence which was not done. After a gap of two years now the State has filed application under Section 311 CrPC to tender in evidence a record which was already in their notice and knowledge. Had there been no delay it would have been altogether a different matter that it was an omission, but in the present case if the original copy was not tendered in evidence, it was for the Director Prosecution to have examined and fix their system. It is not the case that it was at the connivance or at the end of the accused that the document which was with the police

custody was not tendered in evidence. If it is a case of mediocrity or lack of understanding, then it is for the State to see that mediocres are shown the door but it cannot be a ground to make the accused suffer who are already facing the trial.

9. Given the above there is no ground to recall PW2 and even otherwise the order under challenge does not suffer from any illegality and calls for no interference

10. Petition dismissed. Pending applications if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

26.05.2026

Anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.