



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

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CRM-M-11448-2026

Date of Decision: 27.04.2026

DHARMENDER @ MANDIA

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. The present petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the impugned order dated 11.02.2026 passed by the Court of Learned Additional Sessions Judge, Sirsa, whereby application dated 11.02.2026 moved on behalf of the petitioner and Seeking permission to examine a handwriting expert in defence evidence and further seeking issuance of directions to DW4 to give his specific handwriting comparison, has been dismissed.

2. Learned counsel for the petitioner submits that the petitioner has a valuable and enforceable right to build up his defence from the very inception of the trial and to test,

demolish and rebut the prosecution version by all legally



permissible means, and the impugned order illegally curtails such right by shutting out the relevant defence evidence sought by the petitioner. He further submitted that the petitioner's consistent defence is that he has been falsely implicated and that the alleged proceedings shown to have been conducted at the spot were in fact not conducted in the manner projected. Learned counsel for the petitioner submits that the application of petitioner in aid of a fair defence cannot be shut out as not maintainable. In these circumstances the petitioner's prayer for examination of handwriting expert and for obtaining specific handwriting of DW4 for comparison with Exhibit DW4/A is a relevant and legally permissible mode of defence evidence. Hence, he prays that the impugned order be quashed and the present petition be allowed.

3. Learned counsel for the respondent State has opposed the present petition and submitted that the application of the petitioner was rightly dismissed by the learned trial court. He further submitted that the learned trial court correctly observed that the defence seeks to impeach the credibility of its own witness, DW-4, whose statement was recorded on 21.11.2025, by way of examining a handwriting expert. Learned State counsel further submitted that, in any case, handwriting analysis is not conclusive proof in a legal context and is merely an opinion with limited evidentiary value. He also submitted that the petitioner merely seeks to

delay the trial by filing the present application before the trial Court. Hence, he prays that the present petition be dismissed.

4. I have heard learned counsel for the parties and perused the record with their assistance. This Court finds no illegality, perversity, or infirmity in the impugned order dated 11.02.2026 passed by the learned Additional Sessions Judge, Sirsa. The learned trial Court has rightly observed that the defence, by seeking examination of a handwriting expert, is attempting to impeach the credibility of its own witness, DW-4, which is not ordinarily permissible in law. Moreover, the proposed evidence in the form of handwriting analysis is only opinion evidence and does not carry conclusive evidentiary value. The application appears to have been moved at a belated stage with the intent to delay the proceedings rather than to advance the cause of justice. Moreover, the petitioner has not been able to show any prejudice caused to him by the rejection of the said application. Consequently, the present petition, being devoid of merit, is hereby dismissed.

5. It is clarified that nothing herein shall be construed as an expression of opinion on the merits of the case of the petitioner before the learned trial Court.

(RUPINDERJIT CHAHAL)
JUDGE

27.04.2026

Puneet...

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No