



(146)

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

CRR-691-2025 (O&M)
Date of Decision: 09.03.2026

Radhey Sham

... Petitioner(s)

Versus

M/s Sam Impex, A-1/25-26, New Kondli, Delhi

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Suman Kumari, Advocate
for the petitioner(s).

Mr. Gurinder Singh Dhillon, Advocate
for the respondent(s).

JASJIT SINGH BEDI, J. (Oral)

[1] The prayer in the present petition is for setting aside the impugned order dated 09.12.2024 whereby the application moved by the petitioner under Section 311 of Cr.P.C. has been dismissed.

[2] The learned counsel for the petitioner-complainant (hereinafter known as the petitioner) contends that on account of oversight, certain documents which were germane to the controversy have not been exhibited. The non-exhibition of the same would cause material prejudice to the case of the petitioner. Therefore, the present petition be allowed and the petitioner be granted one opportunity to tender the said document in evidence, subject to payment of cost as this Court may deem appropriate.



(146)

[3] The counsel for the respondent-accused (hereinafter known as the respondent) on the other hand, contends that the complaint was filed way back in the year 2021. The instant application has been moved with the view to delay the trial. Therefore, the same is liable to be dismissed.

[4] I have heard the learned counsel for the parties.

[5] Admittedly, the documents in question were in existence even at the time of filing of the complaint. Be that as it may, on account of a mistake/oversight on behalf of the petitioner, the said documents have not been exhibited and brought on record. Therefore, it would be just and expedient to permit the said documents to be tendered in evidence subject to further cross-examination as per law.

[6] In view of the above, the present petition is allowed. The petitioner is permitted to bring on record the documents as enumerated in the application under Section 311 Cr.P.C. subject to a payment of cost of Rs.10,000/- as cost to the respondent.

[7] The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

March 09, 2026

vishal

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No