



CR-3603-2026

- 1 -

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CR-3603-2026

Date of decision: 29.04.2026

BACHITTAR SINGH

....Petitioner

Versus

AMNINDER KAUR AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Ms. Poonam Verma, Advocate for the petitioner.

YASHVIR SINGH RATHOR. J.(Oral)

1. The present petition under Article 227 of the Constitution of India has been filed for quashing of the impugned order dated 13.04.2026, passed by the learned Additional Civil Judge (Senior Division), Sangrur, vide which the application filed by respondent No. 2 for leading additional evidence has been allowed.
2. I have heard learned counsel for the petitioner and have gone through the material placed on the file.
3. Learned counsel for the petitioner contended that the respondent had examined one witness namely RW1-Surinder Singh, but he had not tendered any documents Ex. R1 to Ex. R3 during his examination and now the application for additional evidence has been moved under Section 151 CPC, whereas, the application should have been moved to recall the said witness under Order 18 Rule 17 CPC but learned trial Court has erroneously allowed the application and impugned order be thus set aside.



CR-3603-2026

- 2-

4. However, I do not find any force in the contention raised by learned counsel for the petitioner.

5. Respondent No.2 moved an application submitting that he had examined RW1 and had also placed on file the documents by exhibiting them as Ex.R1 to Ex. R3 but the documents could not be tendered during examination of RW1 inadvertently, and as such, he may be allowed to lead additional evidence and to examine RW1 again and the application in hand has been allowed by the learned trial Court. However, in my considered opinion, no manifest error or material illegality has been committed in allowing the application, as the error on the part of counsel representing the respondent was inadvertent and not intentional. Documents Ex. R1 to Ex. R3 had been placed on file during examination of the said witness namely RW1-Surinder Singh but this fact could not be mentioned when his statement was recorded. As such examination of RW1 is essential either by way of additional evidence or by recalling him to prove the said documents.

7. In these circumstances, no interference in the impugned order is warranted and the petition in hand is ordered to be dismissed.

8. However, it is made clear that petitioner shall have a right to raise objection regarding admissibility of documents Ex. R1 to R3 i.e. whether the same can be proved by RW1-Surinder Singh or not and this question has not been adjudicated by this Court while disposing of the present revision petition.

(YASHVIR SINGH RATHOR)
JUDGE

29.04.2026

amandeep	Whether speaking/reasoned.	:	Yes/No
	Whether Reportable.	:	Yes/No