



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

117

CRM-M-32712-2019
Date of decision: 13.05.2026

M/S MICRONOVA POWER SYSTEM PETITIONER(S)

VERSUS

M/S BALAJI SALES CORPORATION ...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bijender Dhankhar, Advocate for the petitioner.

Mr. Varun Sharma, Advocate for the respondent.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of Cr.P.C. is for quashing of the order dated 12.07.2019 (Annexure P-4) passed by the Additional Sessions Judge, Faridabad, whereby the order dated 22.04.2019 passed by the Judicial Magistrate Ist Class, Faridabad, in complaint bearing NACT No.4791-2015 dated 17.10.2015 titled as M/s Micronova Power System vs. M/s Balaji Sales Corporation, under Section 138 and 142 of NI Act read with Section 420 of IPC has been set aside.

2. The learned counsel for the petitioner contends that the petitioner, who is the complainant, instituted a complaint under Section 138/142 of the Negotiable Instruments Act, read with Section 420 of IPC, in which the respondent came to be summoned. During the fag end of the trial, an application was moved under Section 311 Cr.P.C., to bring on record certain material documents, such as e-mails, cancellation report, legal notice dated 15.09.2015 and a distributor application form. The said application



was allowed by the Court of JMIC, Faridabad on 22.04.2019. The accused preferred a revision petition and the aforementioned order was set aside vide order dated 12.07.2019. He contends that the bringing on record of the documents is essential for the just adjudication of the case. In fact, the complainant is an aggrieved person and no prejudice would be caused to the respondent/accused in case the said documents are brought on record, as the respondent/accused would have an opportunity to cross-examine the complainant and other witnesses with respect to the newly exhibited documents. He, therefore, prays that the impugned order dated 12.07.2019 (Annexure P-4) be set aside.

3. The learned counsel for the respondent, on the other hand, contends that the petitioner/complainant had earlier moved an application under Section 311 Cr.P.C. for bringing on record certain other documents, which was declined. The instant second application with respect to a different sets of documents has been moved at the fag end of the trial. This has caused material prejudice to the respondent/accused and therefore, the impugned order ought not to be quashed.

4. I have heard learned counsels for the parties.

5. A perusal of the impugned order would show that the documents which the petitioner seeks to bring on record are e-mail conversations, cancellation report, legal notice and distributor application form. All these documents were very much in existence when the complaint was filed. It appears that the same were not exhibited on account of oversight. It is not the case of the respondent/accused that all these documents have been created later so as to change the nature of the case.



Apparently, once these documents are brought on record, the respondent/accused would have the right to cross examine the witnesses, who exhibit these documents. As such, no irreparable loss would be caused to the respondent. In fact, the delay, if any, is to the prejudice of the petitioner, who is the complainant.

6. In view of the above, I find considerable merit in the present petition and therefore, the impugned order dated 12.07.2019 (Annexure P-4) passed by the learned Additional Sessions Judge, Faridabad stands quashed.

7. The Trial Court is directed to conclude the Trial as expeditiously as possible but preferably within a period of 03 months from the next date of hearing fixed before it, subject to the compliance of the order dated 22.04.2019.

8. All the pending miscellaneous applications, if any, stand disposed of.

13.05.2026

Kusum

(JASJIT SINGH BEDI)
JUDGE

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