



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

CR-3851-2022(O&M)
Date of decision: 23.03.2026

M/s Rishabh Forgings

... Petitioner

Versus

M/s Majestic Auto Ltd. and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr.Puneet Jindal, Senior Advocate, with
Mr. Rohit Sharma, Advocate, for the petitioner

Mr. Aayush Gupta, Advocate,
for the respondents.

VIKRAM AGGARWAL, J. (ORAL)

The instant revision petition assails order dated 18.08.2022 (Annexure P-1), passed by the Court of Additional District Judge, Ludhiana, vide which the respondents/defendants have been granted permission to place on record and prove certificate under Section 65-B of the Indian Evidence Act, 1872 (for short, '**the Act**'), in support of electronic evidence produced by DW1-Joginder Sharma.

2. At the outset, learned Senior counsel representing the petitioner submits that the petitioner would not challenge the impugned order, provided that an opportunity is given to the petitioner/plaintiff to cross-examine the witness producing the certificate under Section 65-B of the Act.

3. Learned counsel for the respondents, on the other hand, fairly submits that he would have no objection if such permission is granted.

4. The impugned order states as under:-

“11 So, from the above discussion, it is clear that applicants stated that they have already examined DW-1 Joginder Sharma and at that time, they have brought on record the emails and attachment etc from Ex.D39 to Ex.D45, but due to inadvertence and oversight, they could not produce the certificate under Section 65-B of Evidence Act and now they want to place and prove on record the certificate under Section



65-B of Evidence Act. In this respect, the certificate produced on file along with present application is very clear, because in this certificate under Section 65-B of Evidence Act, applicants had stated that emails were received through General Manager Mr Rajiv Kakkar and these were saved in data base of the company and he had generated and taken out the print outs of the same from the computer. So, when it was stated in the certificate under Section 65-B of Evidence Act that print outs of the same were taken out by Joginder Sharma, then certificate under Section 65-B of the Evidence Act will also be produced on record by the same person. Moreover, main documents i.e. emails Ex.D39 to Ex.D45 had already been brought on record by the applicants. So, accordingly, case law relied upon by learned counsel for the respondent is not applicable to the facts of the present case. Accordingly, present application is partly allowed and applicants are allowed to place and prove on record the certificate under Section 65-B of the Evidence Act.”

5. Since permission has been granted to the respondents/defendants to place and prove on record certificate under Section 65-B of the Act, it would be imperative to grant permission to the petitioner/plaintiff to cross-examine the witness, who produces such certificate.

6. That being so, the instant revision petition is disposed of with a direction to the Court concerned to provide an opportunity to the petitioner/plaintiff to cross-examine only the witness who produces/proves the certificate under Section 65 of the Act.

7. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 23, 2026

Rajan

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No