SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010197072026 **C528/2465/2026** Ganesh Chandra --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. C.K. Sharma, Advocate for the applicant. 2. Ms. Minakshi Sharma, Brief Holder for the State. 3. Defects, as pointed out by the Registry are overruled. 4. The present criminal misc. application under Section 528 of BNSS has been filed by the applicant with a prayer to quash/set-aside the order dated 17.10.2026 passed by learned Judicial Magistrate/Civil Judge (Jr. Div.), Ramnagar, District Nainital, on an application filed under Section 311 of Cr.P.C. being paper no. 70(ka)/1 to 70(ka)/5 in Criminal Case No. 433/2023, whereby, the said application moved by the applicant was dismissed on the ground that applicant has not disclosed the name of the person, to whom, applicant wants to examine. 5. Learned counsel appearing for the applicant submits that applicant has moved an application under Section 311 Cr.P.C. in which he has sought permission of the Court to produce the certified copies of some relevant documents and to prove those documents, he wanted to summon the complainant. It is

			further submitted that the learned Trial Court should not have taken hyper technical view that the name was not mentioned in the complaint. 6. *Per contra*, learned State Counsel submits that since the applicant wanted to produce certified copies of the relevant documents, as per Section 91 of the Cr.P.C., the certified copies are admissible in evidence and there is no need for summoning any person for proving them. 7. Heard learned counsel for the parties and perused the record. 8. Having considered the submissions, advanced by learned counsel for the parties and after perusing the record, this Court is of the view that the paramount object of Section 311 of the Cr.P.C. is to ensure a just decision of the case by bringing material evidence on record, and the learned Trial Court ought not to have taken a hyper-technical approach in dismissing the application merely because the name of the witness was not explicitly specified. Therefore, the impugned order suffers from material irregularity and is unsustainable in the eyes of law. 9. Accordingly, the present Criminal Misc. Application is allowed. Consequently, the impugned order dated 17.10.2026 passed by learned Judicial Magistrate/Civil Judge (Jr. Div.), Ramnagar, District Nainital, on an application filed under Section 311 of Cr.P.C. being paper no. 70(ka)/1 to 70(ka)/5 in Criminal Case No. 433/2023 is hereby set-aside with a liberty to the applicant to file the certified copies of the relevant documents, which he has mentioned in paragraph 7 of his application filed under Section 311 Cr.P.C. **(Alok Mahra J.)** 06.11.2026 Ujjwal