



**THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-64138-2024

Date of decision: January 23rd, 2025

M/s K.S.M. Finance Co.

.....Petitioner

Versus

Raj

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking quashing of order dated 18.11.2024 passed by learned trial Court in complaint No.NACT/499/2019 dated 18.07.2019, whereby an application filed by the petitioner seeking permission to prove and place on record receipt dated 04.04.2019 executed by accused in his favour, has been dismissed.

2. Learned counsel for the petitioner submits that the learned trial Court has failed to consider that a specific question was put to the complainant/petitioner during his cross-examination regarding receipt dated 04.04.2019 issued by the accused/respondent, to which the complainant had submitted that he can produce the same. Learned counsel submits that however, the learned trial Court has wrongly dismissed the application moved by the complainant for placing on record the said receipt.

3. I have heard learned counsel and perused the relevant material on record.

4. Be that as it may, if the petitioner is not granted one more opportunity to prove the receipt dated 04.04.2019 issued by the respondent, he would suffer irreparable loss which in turn would result in miscarriage of justice. Therefore, for just and proper adjudication of the case, this Court deems it appropriate to grant one last effective opportunity to the petitioner to place on record and prove the receipt dated 04.04.2019 issued by the respondent.

5. Hence, without issuing notice to the respondent, to avoid any further delay as well as expenses which the respondent shall have to incur to defend these proceedings, the impugned order dated 18.11.2024 is set aside. The instant petition is allowed in the following terms:-

1. The petitioner is granted only one effective opportunity to prove receipt dated 04.04.2019.
2. In the event of default by the petitioner, the case shall not be adjourned any further for the said purpose and the trial Court shall proceed with the trial.
3. This shall, however, be subject to payment of costs in the sum of ₹25,000/- to be deposited with the District Legal Services Authority, Malerkotla.

January 23rd, 2025

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No