

ITEM NO.25

COURT NO.5

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 1575/2020

(Arising out of impugned final judgment and order dated 28-11-2019 in CRM-M No. 44509/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

M/S GUPTA TRADING COMPANY

Petitioner(s)

VERSUS

RAJESH RANA

Respondent(s)

(FOR ADMISSION and Interim Relief and
IA No.31490/2020-EXEMP.FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH Diary No(s). 6239/2020 (II-B)

(IA No.32208/2020-EXEMP.FROM FILING C/C OF THE IMPUGNED JUDGMENT
and IA No.32210/2020-APPLICATION FOR SUBSTITUTION and
IA No.32205/2020-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and
IA No.32211/2020-CONDON.OF DELAY IN FILING SUBSTITUTION APPLN.)

Date : 06-03-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Raktim Gogoi,Adv.
Mr. Sarvaswa Chhajer,Adv.
Mr. Kartikeya Singh,Adv.
Dr. G.K. Sarkar,Adv.
Mr. Gautam Awasthi, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

SLP(Cr1.)Diary No(s). 6239/2020 :

Abatement is set aside.

Delay in filing the application for substitution of the
deceased petitioner-Babu Ram is condoned.

For the reasons stated in the application supported by an

affidavit, application (IA No.32210/2020) for substitution is allowed and legal representatives No1(i) to 1(vii) are brought on record.

Permission to file the special leave petition is granted.

S.L.P.(Cr1.)No.1575 of 2020 and SLP(Cr1.)Diary no.6239 of 2020 :

We have heard Mr. Raktim Gogoi, learned counsel appearing for the petitioners in both the matters i.e. S.L.P.(Cr1.)No.1575 of 2020 and SLP(Cr1.)Diary no.6239 of 2020.

We are not inclined to interfere with the impugned order(s) in exercise of our jurisdiction under Article 136 of the Constitution of India.

The special leave petitions are disposed of with the observation that the petitioner(s)-complainant/holder of the cheque shall be given sufficient opportunity to cross-examine the handwriting expert to be summoned by the respondent-accused. It is also further observed that the opinion of the handwriting expert shall be considered along with the other evidence adduced by both the parties. The contention raised by the petitioner(s)-complainant insofar as the admissibility of the opinion of the handwriting expert is left open to be raised before the Trial Court at the appropriate stage.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
AR-cum-PS

(BEENA JOLLY)
BRANCH OFFICER