

**ORDERS ON APPLICATIONS U/S 91
OF CRPC.**

Respondent has filed the above said applications under sec. 91 of Cr.P.C, seeking permission to produce the documents annexed with the application.

According to the respondent, those documents are not produced in the earlier stage because they were not obtained. Further, it is submitted that those documents are obtained recently and they are very much necessary to prove the contention taken by the respondent. Hence, the respondent prays for allow the application.

Learned counsel for the petitioner filed detailed objection to the above application by denying the averments made in the application. Further, it is the contention of the petitioner that the respondent submitting the said document to fill up the lacuna and the application is filed at the belated stage. As such, the application is not at all maintainable. Hence, she prays to reject the application.

Heard on both sides.

Petitioners have filed this petition U/Sec. 12 of DV Act against the respondent for taking action against the respondent and such other reliefs. Now, the stage is for arguments. When the case was reserved for arguments, the respondent came up with the present application. It is true that after the completion of the trial the respondent filed the application by seeking permission to produce the additional documents as per the list on his behalf. According to the respondent those documents are very much necessary for him for proving the financial capacity. Since, the petitioners have sought maintenance against the respondent it is the duty of the parties to prove their respective financial capacity. Though the application is filed at the later stage, the respondent specifically stated in his application that the documents which are intended to be produced by the respondent are obtained from the competent authority recently. Because of the

said reason only the application is filed by the respondent at the later stage. Hence, the said reason is acceptable one. If the application is allowed, then the petitioners are having every right to question the said documents by way of cross examination. The relevancy of the said documents can not be decided at this juncture. Therefore, if the application is not allowed, certainly the respondent will lose his opportunity in proving his case. If the application is allowed, then the petitioners can question the relevancy of the said documents in the later stage by way of cross examination. Therefore, in order to give an opportunity for fair adjudication, the application is deserves to be allowed. The delay in filing the application can be compensated by imposing cost upon the respondent. Hence, I proceed to pass the following:

ORDER

The application filed by the respondent/applicant under Sec. 91 of Cr.P.C is hereby allowed on cost of Rs. 200/-.

Respondent is permitted to furnish the documents as prayed in the application.

Call on 06.06.2026.

**Prl.Civil Judge and JMFC.,
Sagar.**

