

CNR No: PBHOC10003692017

CIS No: CHI/118/2017

State of Punjab VS Sukhvir Singh etc.

Present: Sh. Inderjot Singh, Ld. APP for the State

Accused on bail with counsel Sh.KDS Ghuman, Advocate

Heard on the application under Section 311 Cr.P.C. filed by the applicant/complainant through learned APP for the State. Perusal of the record reveals that the applicant/complainant has filed the present application to summon the record i.e. MLR No. SP-23-2016 and DDR No.39 dated 22.10.2016 of the complainant Sandeep Kaur and to examine the Doctor Satinderpal Saini, Medical Officer, Civil Hospital, Mukerian. In order to prove that complainant Sandeep Kaur was medico legally examined by him. The respondent/accused has replied only to the extent that three years have elapsed from the registration of FIR and hence the document cannot be summoned under Section 311 Cr.P.C. This argument of learned counsel for the respondent/accused holds no merit as under the provisions of Section 311 Cr.P.C. any document can be called or any witness can be summoned if it appears to the court that it is essential to the just decision of the case. It is important to note here that the document sought to be summoned is an official record of Civil Hospital, Mukerian and there are very less chances that the said document can be tampered. Moreover, no prejudice shall be caused to the respondent/accused if the document as mentioned above is called and Dr. Satinderpal Saini, Medical Officer, Civil Hospital, Mukerian be summoned for the proper adjudication of the present case. Hence, the present application under Section 311 Cr.P.C. is hereby allowed. Now to come up on **15.03.2022** for summoning the MLR No. SP-23-2016, DDR No.39 dated 22.10.2016 and Dr. Satinderpal Saini, Medical Officer, Civil Hospital, Mukerian as mentioned above.

Date of Order:04.02.2022

(Manik Kaura, PCS)

Judicial Magistrate Ist Class-Mukerian

Upendra-Steno Gr.II

UID NO . PB00579