

NACT-130-2022 Tarlok Singh Vs. Bakhshish Singh
CNR No.PBKPC10007592022

Present: Complainant with Sh.Mandeep Singh Multani Advocate.
Accused on bail with Sh.Anoop Singh Advocate.

ORDER

Today, the accused has filed an application for secondary evidence, on the averments that there was executed an Ikraarnama dated 04.06.2021 between the accused/applicant and complainant. The same was scribed on the stamp paper which was purchased from Amit Arora, Stamp Vendor, Nadala, Tehsil Bholath District Kapurthala and the same was also got scribed by the Stamp Vendor Amit Arora at the instance of the parties and copy of same is already placed on judicial file alongwith examination-in-chief of DW-1 Bakhshish Singh as Mark-DW1. He further pleaded that an application dated 17.02.2026 for production of the original Ikraarnama dated 04.06.2026 was also moved by applicant/accused calling upon the complainant to produce the original Ikraarnama dated 04.06.2021 but the complainant denied the same and flatly refused to produce the original. Now the case is at the stage of defence evidence and if said Ikraarnama is not proved by way of secondary evidence, the applicant/accused shall suffer an irreparable loss and injury which cannot be compensated in terms of money lateron and prayed for allowing the application.

2. The respondent/complainant has filed reply to this application and denied the averments of this application and prayed for dismissal of the same.

3. I have considered the submissions made by learned counsel for the parties and have gone through the record on file.

4. Through the present application, applicant/accused wants to lead secondary evidence to prove the alleged Ikraarnama dated 04.06.2021 executed between the parties and placed on record photocopy of the same as Mark-DW-1. On the other hand, the respondent/complainant has denied execution of said Ikraarnama. Keeping in view of the facts and circumstances of the present case and in the interest of justice and for proper adjudication and controversy between the parties, the application for leading secondary evidence to prove above-said Ikraarnama dated 04.06.2021 stands allowed, subject to proof of execution, existence and loss of documents and also subject to all just exceptions. However, it is made clear that anything said above shall have no effect on merits of the main case.

4. Now, the case stands adjourned to **10.03.2026** for defence evidence. The accused is directed to conclude his entire evidence on the next date, positively as this case pertains to year 2022 falls under the category of Action Plan, failing which arguments shall be heard on the date fixed.

Pronounced in open Court
Date of Order: 05.03.2026
(Munish)

(Shagun)
Sub Divisional Judicial Magistrate
Bholath
UID No.PB0419

(Directly dictated on computer)