



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1293 of 2026

Chintaram Kashyap S/o Pratap Singh Aged About 62 Years R/o Village Bikhampur, Tahsil Lohara, District- Kabirdham, Chhattisgarh.

... Petitioner

versus

Sanjay Agnihotri Aged About 41 Years R/o Naradih Road No. 11, Sector 1 Bhilai, The And District Durg Chhattisgarh.

... Respondent

Order Sheet

29/05/2026	Heard Mr.Samir Singh, learned counsel for the petitioner. Learned counsel for the petitioner submits that the present petition has been filed against the order dated 05.02.2026 passed by the Judicial Magistrate First Class, Durg in RCC No.2563/2020, whereby the learned JMFC rejected the application dated 16.01.2026

	(Annexure P-2) filed by the petitioner seeking permission to bring certain relevant documents on record, which are essential for just and proper adjudication of the complaint filed by the petitioner. The said order of the JMFC, Durg has been affirmed by the Sessions Judge, Durg in Criminal Revision No.64/2026 vide order dated 10.04.2026. He further submits that the petitioner had filed a complaint before the trial Court under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as the "NI Act"). During the course of evidence, the petitioner realized that documents relating to his salary slip and ownership of land are necessary to establish his financial status and source of income for issuance of the cheque to the accused/respondent. However, the said application was rejected by the trial Court merely on the ground that the evidence had already commenced and the cross-examination had started, without examining the necessity and relevance of the documents sought to be produced. It is further submitted that the trial Court
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ought to have considered the documents placed before it for bringing additional facts and evidence on record. Learned counsel also submits that the trial Court has fixed the matter for evidence and cross-examination of the petitioner/complainant today itself.

Issue notice to the respondent on payment of process fee within seven days, making the same returnable within four weeks.

List this case after receipt of service report upon the respondent.

Considering the submissions made by learned counsel for the petitioner, particularly the fact that the learned trial Court rejected the application without examining the documents in question and without recording its satisfaction regarding the necessity of such evidence merely on the ground that the evidence had already commenced, I.A. No.01/2026, an application for stay, is allowed. Purely as an interim measure, it is directed that the proceedings arising out of RCC No.2563/2020 (Chintaram Kashyap v. Sanjay Agnihotri),

pending before the Judicial Magistrate First Class, Durg, shall remain stayed till the next date of hearing.

In view of above, I.A. No.2/2026, application for urgent hearing during summer vacation and I.A. No.3/2026, application for urgent hearing, stand disposed of.

Sd/-

(Bibhu Datta Guru)
Judge

Bablu