

Padam Singh Vs. Kushal Singh

Cr. Revision No.409 of 2016

16.07.2024 Present: Mr. P.P. Chauhan, Advocate (through video conferencing), along with Ms. Shikha Rajta, Ms. Aditi Rana and Ms. Tara Devi, Advocates, for the petitioner.

Mr. Pratap Singh Goverdhan, Senior Advocate with Mr. Rakesh Thakur, Advocate, for the respondent.

Cr.MP No.3360 of 2023

By way of instant application filed under Section 482 Cr.P.C., permission has been sought by applicant/petitioner to place on record judgment and decree dated 07.04.2018 passed by learned Additional District Judge-I, Solan, District Solan, H.P. in Civil Suit No.32-S/01 of 2013/2011.

Though, it has been averred in the application that judgment sought to be adduced on record may have a bearing upon the criminal revision petition, pending adjudication before this Court, but this Court is of the view that present application is not maintainable for the reason that no document can be permitted to be placed on record by way of application under Section 482 Cr.P.C., rather for that purpose, specific application should have been filed under Section 391 read with Section 401 Cr.P.C.

Moreover, this Court cannot lose sight of the fact that present application has been filed in the criminal revision petition filed under Section 397 Cr.P.C., wherein no additional

evidence otherwise can be permitted to be adduced, rather, in such like proceedings, Court is only to satisfy itself that finding returned by the Court below is based upon proper appreciation of law as well as evidence adduced on record by respective parties.

In view of the above, present application fails and is dismissed accordingly. Needless to say that applicant/petitioner is always at liberty to cite aforesaid judgment at the time of final arguments and applicability, if any, of the same shall be considered at that stage.

July 16, 2024
(*Rajeev Raturi*)

(Sandeep Sharma),
Judge