



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

107

CRR-1251-2026

Date of Decision: 11.05.2026

JEET @ AJIT AND ORS

..... Petitioners

Versus

STATE OF HARYANA AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Gurneet Sagoo, Advocate Amicus Curiae
for the petitioners.

ANOOP CHITKARA, J. (ORAL)

1. Aggrieved by the order dated 23.02.2026 passed by learned Additional Sessions Judge, Hisar, the accused has come up before this Court.
2. The nature of order this Court proposes to pass, no notice is required to be issued to the respondents because this order will not prejudice them in any manner whatsoever and this Court would only be clarifying the legal position.
3. Counsel for the petitioners submits that despite not appearing on the dates as many as 36 times, learned Additional Sessions Judge, Hisar without considering the said fact, allowed the application. Further, the document which the complainant wants to prove was already within the knowledge of prosecution, the concerned witness had already been examined and now it is just like to fill up the lacunae in the prosecution case, which cannot be done.
4. This Court does not deem it appropriate to interfere in the impugned order but it is clarified that in case, the trial Court comes to a conclusion that the document tendered by the witness is to be exhibited, then before permitting the recording of statement of witnesses, it shall be taken care of that it is not an improvement and it was not earlier in the notice of such witness when he had earlier appeared before the concerned Court. In



simple terms, the acceptance of the application under Section 311 CrPC cannot be construed as a licence to fill up the lacunae in the prosecution case.

5. Given above, the present petition stands disposed of with the aforesaid observations. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

11.05.2026

Jyoti-II

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>