

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *1145194 B.C. Ltd. v. MKB Investments Ltd.*,
2026 BCSC 1182

Date: 20260610
Docket: S227630
Registry: Vancouver

Between:

**1145194 B.C. Ltd.
1076897 B.C. Ltd.**

Plaintiffs

And

**MKB Investments Ltd., Berarco Investments Ltd.,
Berar Capital Corporation, 1180423 B.C. Ltd., 651365 B.C. Inc.,
653965 B.C. Inc., and 1140912 B.C. Ltd.**

Defendants

- and -

Docket: S227631
Registry: Vancouver

Between:

**1145198 B.C. Ltd.
1145182 B.C. Ltd.**

Plaintiffs

And

**1140909 B.C. Ltd.
1140910 B.C. Ltd.
1140912 B.C. Ltd.
1140398 B.C. Ltd.**

Defendants

- and -

Docket: S232892
Registry: Vancouver

Between:

**1145194 B.C. Ltd.
1076897 B.C. Ltd.**

Plaintiffs

And

**MKB Investments Ltd.
Berar Capital Corporation
1247381 B.C. Ltd.
1368236 B.C. Ltd.**

Defendants

- and -

Docket: S236346
Registry: Vancouver

Between:

Karmjit Kaur Berar

Plaintiff

And

**Sundeep Gill, Pawandeep Gill, 1318801 B.C. Ltd.,
Amarjeet Gill, 1145198 B.C. Ltd. and
Warwickshire Homes (Bedford Gardens) Ltd. Inc. No. BC1510644**

Defendants

Corrected Judgment: The text of the judgment was corrected at the cover page on
June 25, 2026.

Before: The Honourable Justice Stephens

**Oral Ruling
re Re-Examination of Manpreet Berar on Exhibit CCC**

Counsel for 1145182 B.C. Ltd., 1076897 B.C. Ltd., 1145194 B.C. Ltd., 1145198 B.C. Ltd., Amarjeet Gill, Pawandeep Gill, and Sundeep Gill:

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Counsel for 1140398 B.C. Ltd., 1140909 B.C. Ltd., 1140910 B.C. Ltd., 1180423 B.C. Ltd., Berar Capital Corporation, Berarco Investments Ltd., 1368236 B.C. Ltd., 1247381 B.C. Ltd., 651365 B.C. Inc., 653965 B.C. Inc., and Karmjit Kaur Berar:

R. Basham, KC

Counsel for 1140912 B.C. Ltd., and MKB Investments Ltd.:

Y. Li-Reilly

Place and Date of Trial/Hearing:

Vancouver, B.C.
June 10, 2026

Place and Date of Judgment:

Vancouver, B.C.
June 10, 2026

[1] **THE COURT:** I refer to *R. v. Sipes*, 2011 BCSC 1906, a decision of Justice Smart, which sets out principles with respect to re-examination at paras. 2 and 3. It quotes the decision of the Ontario Court of Appeal, *R. v. Candir*, 2009 ONCA 915 at para. 148 which states:

It is fundamental that the permissible scope of re-examination is linked to its purpose and the subject-matter on which the witness has been cross-examined. The purpose of re-examination is largely rehabilitative and explanatory. The witness is afforded the opportunity, under questioning by the examiner who called the witness in the first place, to explain, clarify or qualify answers given in cross-examination that are considered damaging to the examiner's case. The examiner has no right to introduce new subjects in re-examination, topics that should have been covered, if at all, in examination in-chief of the witness....

[2] Paragraph 3 of *Sipes* goes on to state:

Re-examination may be permitted even though the subject was covered in direct examination provided the re-examination is to explain, clarify, or qualify answers given in cross-examination and not merely an effort to allow the witness to repeat what he or she said in direct examination. This was explained in *McWilliams' Canadian Criminal Evidence*, 4th ed. (Toronto, Thomson Reuters, 2012) in its summary of the right of re-examination at para. 18:40.10:

... the right is confined to clarifying or explaining matters arising out of cross-examination. ... Accordingly, the right to re-examine will often be engaged with respect to entirely new matters raised in cross-examination which were not touched upon at all in chief, yet the right is also triggered regarding matters, though canvassed in-chief, require clarification or explanation as a result of questions put and answers provided in cross-examination.

[3] Having heard submissions with reference to Exhibit CCC, I am satisfied that there is a permissible scope of re-examination in order to clarify or explain matters arising out of cross-examination in connection with that document, and I allow questions in order to explain, clarify, or qualify answers given in cross-examination in connection with that document.

[4] Therefore, what I call the threshold objection to this topic being canvassed in re-examination, I overrule.

[5] However, I do add that the scope of my ruling is in connection with explaining, clarifying or qualifying answers given in cross-examination and nothing in my ruling extends to questions that elicit answers beyond that ambit.

“Stephens J.”