

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1828 of 2014

ORDER

The present criminal revision case is directed against the order dated 04.07.2014 passed in Crl.R.P.No.327 of 2013 by the learned Metropolitan Sessions Judge, Hyderabad.

2. The first respondent herein filed a complaint under Section 200 Cr.P.C. against the petitioners herein for the offences under Sections 193, 199, 427, 448 and 116 IPC. By order dated 07.06.2013 in S.R.No.2276 of 2012, the trial Court having found that there are no prima facie grounds to proceed further against the accused for the alleged offences, dismissed the complaint under Section 203 Cr.P.C. Challenging the same, the complainant filed Crl.R.P.No.327 of 2013. By the order impugned, the learned Metropolitan Sessions Judge allowed the revision in part with a direction to the lower Court to deal with the case on merits against the accused for the offences under Sections 193, 199 and 116 IPC by sustaining the order of the lower Court against the accused for the offences under Sections 427 and 448 IPC. Aggrieved by the same, the petitioners/accused filed the present revision.

3. Heard and perused the material on record.

4. By the order impugned, the learned Sessions Judge observed the ruling of the Apex Court in IQBAL SINGH NARANG v. VEERAN NARANG^[1] wherein it was held that though the Rent Controller discharges quasi-judicial functions, he is not a Court, as understood in the conventional sense and he cannot, therefore, make a complaint under Section 340 Cr.P.C. and consequently, a

complaint could be made by a private party in the proceedings. Since the contents of the complaint would show that the offences under Sections 193, 199 and 116 IPC took place in a proceeding on the file of the II Additional Rent Controller, Hyderabad, the learned Sessions Judge while setting aside the order of the lower Court directed to deal with the case on merits against the accused for the offences under Sections 193, 199 and 116 IPC and sustained the order of the lower Court against the accused for the offences under Sections 427 and 448 IPC since there is no prima facie material is placed against them for the said offences. Therefore, this Court is of the view that the order of the learned Sessions Judge is in accordance with law and there is no need to interfere with by this Court.

5. Hence, the Criminal Revision Case is dismissed. The trial Court is directed to proceed in accordance with law as per the order dated 04.07.2014 passed in CrI.R.P.No.327 of 2013 by the learned Metropolitan Sessions Judge, Hyderabad. Miscellaneous petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

1st December, 2015

sj

[\[1\]](#) (2012) 2 SCC 60