

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: January 21, 2015

+ **CRL.M.C. 2132/2013**

MAHENDRA KUMAR TYAGI Petitioner

Through: Mr. Shrikant Tayagi and Mr.
Tanmay Nagar, Advocates

versus

STATE & ANR.Respondents

Through: Mr. Vinod Diwakar, Additional
Public Prosecutor for respondent-
State

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Petitioner's complaint for the offences under Sections 107/119/120/166/167/193/201/217/218 of IPC stand dismissed by trial court vide order of 25th July, 2012 against which petitioner had filed a criminal revision petition which also stands dismissed vide impugned order of 14th December, 2012.

In brief, the case of petitioner is that he had made a complaint against S. J. Anantaraj to the higher officers of the Indian Oil Corporation regarding grant of discount worth crores of rupees and thereby causing loss to the Indian Oil Corporation and in the said complaint, minor punishment was inflicted upon said S.J. Anantaraj by respondent No.2 and the appeal filed by petitioner against the minor penalty was also

heard by respondent No.2, which according to learned counsel for petitioner, is against all cannons of law.

During the course of hearing, learned counsel for petitioner had pointed out that respondent No.2 had made incorrect statements due to which afore-said S. J. Anantaraj was saved from appropriate punishment and so, respondent No.2 is liable to be tried for the offence under Section 218 of IPC and for other allied offences as well.

Upon hearing and on perusal of the impugned orders and the material on record, I find that so far as respondent No.2 acting in dual capacity is concerned, the same is not punishable under the provisions of law under which petitioner has filed the complaint in question. A bare perusal of the complaint in question reveals that no other provision of law under which the complaint has been filed, is attracted to the facts of the instant case.

In the considered opinion of this Court, impugned orders do not suffer from any palpable error or infirmity. Finding no substance in this petition, it is dismissed.

(SUNIL GAUR)
JUDGE

JANUARY 21, 2015

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