

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-A-1211-MA-2015(O&M)

Date of decision: 21.04.2016

Kartar Singh

.....Applicant

versus

Jarnail Singh and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.D.S.Gurna, Advocate for the applicant

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

CRM-23642-2015

For the reasons mentioned in the application, it is allowed and 80 days delay in filing the application for grant of leave to appeal stands condoned.

CRM-A-1211-MA-2015

Heard on the application for leave to appeal.

Perusal of lower Court judgment shows that the complaint filed under Sections 417, 209, 464, 466, 468, 500, 120-B IPC by the complainant was dismissed. It is alleged in the complaint that in the proceedings, pending before the revenue Court, wrong address of the wife of the complainant was given. With the result that she was proceeded against ex-parte. However, the complainant party was

allowed to join the proceedings. In this way, the offence is alleged to have been committed during proceedings before the revenue Court. Therefore, the complaint itself could not have been filed before the Magistrate, the way it was done. Moreover, the lower Court has recorded the finding that the alleged offence is not proved. The complainant was already successful in pursuing the complaint for nearly eight years and prosecuting the accused for the offence for which they could not even have been summoned in the complaint case. No ground to grant leave to appeal.

Resultantly the application stands dismissed.

21.04.2016
gk

(Kuldip Singh)
Judge