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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-13177 of 2016 (O/M)
Date of decision : 3.5.2016

Sushil Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.K. Chuahan, Advocate, for,
Mr. Arvind Singh, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that Mari/Samadhi in his property has been demolished by the private respondents in violation of the court decree. The petitioner had filed a criminal complaint under Sections 188, 295, 506 IPC. The same was dismissed by the learned Judicial Magistrate 1st Class, Kurukshetra, vide order dated 27.4.2013 (Annexure-P-4), holding that the dispute is of civil nature. The revision filed by the petitioner was dismissed by the learned Additional Sessions Judge, Kurukshetra on 1.8.2015 (Annexure-P-6).

After going through both the impugned orders, I am of the view that both the Courts below have found that the complainant is

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not competent to file a complaint under Section 188 IPC. The decree of the civil court has been violated. Therefore, the dispute is of civil nature. There is no ground to interfere in the impugned orders. Hence, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

3.5.2016
sjks