

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 23254 of 2010(O&M)

Date of decision: 11.05.2016

Udai Kumar and others

.....Petitioners

versus

Param Vir Rathee

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.S.S.Gill, Advocate for
Mr.Varun Tara, Advocate for the petitioners
Mr.Pardeep Singh Poonia, Advocate for the respondent

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)

It comes out that in the present case, a complaint (Annexure P1) has been filed under Sections 499, 500 and 501 IPC, in which, the petitioner has been summoned for commission of offence punishable under Sections 500 & 501 IPC. In the present petition, the petitioner has prayed for quashing of complaint as well as the summoning order (Annexure P9).

This Court is of the view that the summoning order is revisable order and the revision lies before the Sessions Court. If the summoning order is set aside, the complaint will also go against the accused-petitioner.

It being so, this Court is of the view that the petitioner

should avail the remedy of revision first. Therefore, the petitioner is relegated to avail the remedy of the revision before the Sessions Court first. Keeping in view the fact that the petition remained pending before this Court for about six years, it is ordered that if the revision is filed within 30 days from today, the Sessions Court shall hear the same and decide the same on merits notwithstanding the limitation and dispose of the same preferably within six months from the date the of completion of service.

The petition stands disposed of.

11.05.2016

gk

**(Kuldip Singh)
Judge**