

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

Criminal Misc. No. M-35852 of 2015

Date of Decision:-11.3.2016

Govind Singh

...Petitioner

Versus

Budh Ram

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Ram Darshan Yadav, Advocate
for the petitioner.

HARI PAL VERMA J.(Oral)

Challenge in the present petition is to the order dated 02.7.2011 (Annexure P-1) passed by learned Sub Divisional Judicial Magistrate, Kosli and order dated 17.9.2015 (Annexure P-2) passed by learned Additional Sessions Judge, Rewari.

Vide order dated 2.7.2011, learned Magistrate has dismissed the complaint, whereas vide order dated 17.9.2015 the revision against the order dated 2.7.2011 was dismissed by learned Additional Sessions Judge, Rewari.

Learned counsel for the petitioner states that the

Courts below have committed illegality as there is prima facie case established against the respondent-accused but still the respondent has not been ordered to be summoned.

I have heard learned counsel for the petitioner.

Perusal of the order shows that the main allegation in the complaint is that the respondent-accused has committed theft of PVC cable lying near the tubewell of the petitioner but he himself is not a witness of the alleged theft. Furthermore neither details of the neighbour, who disclosed the factum of theft, have been disclosed in the complaint nor any such neighbour has been examined to prove that the cable has been stolen by the respondent. Therefore, this Court does not find any illegality in the order passed by the Courts below.

Accordingly, the petition is dismissed being without any merits.

March 11, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE