

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

CRM No.M-43479 of 2015

Date of Decision: January 21, 2016

Pritam Singh

.... Petitioner

vs.

Kuldeep Kaur and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Naresh Chander, Advocate for
Mr. R.S. Chauhan, Advocate for the petitioner.

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)

The petitioner seeks quashing of the order dated 17.11.2014 (Annexure P-8) passed by learned Addl. Sessions Judge, Ludhiana, affirming the order dated 06.12.2011 (Annexure P-6) passed by learned Judicial Magistrate 1st Class, Ludhiana, vide which the application filed by the present petitioner for launching the proceedings under Sections 195 and 340 Cr.P.C. was dismissed.

It comes out that the lower court while dismissing the application of the present petitioner, made the following observations:

“8. So in view of this categorical pronouncements of the Hon'ble Supreme Court of India regarding the law laid down for proceedings u/s 340 Cr.P.C applying those to the facts of the present application, the court is of the view that the ground on which the application has been moved are

merely for the appreciation of the evidence magnitude of forgery is not there to the applicant or and the impact of such contradictory statements/stand has not been upon the administration of justice and in the circumstances, the court is of the view that it is not expedient in the interest of justice that any prosecution should be launched against the respondent by filing complaint u/s 340 Cr.P.C. by this court. Consequently the application in hand stands dismissed.”

The findings were affirmed in appeal. It also comes out that both the courts below have held that it is not expedient in the interest of justice to launch the prosecution against the respondent under Section 340 Cr.P.C. There are concurrent findings of two courts below, which have appreciated the facts. Therefore, this Court does not find any ground to interfere in the same.

Accordingly, the present petition stands dismissed.

January 21, 2016
sarita

(KULDIP SINGH)
JUDGE