

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

**CRR No.191 of 2013 (O&M)
Date of Decision: May 18, 2016**

Rajinder Parshad

.... Petitioner

vs.

Kulwinder Rani and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Namit Gautam, Advocate for the petitioner.

None for respondent No.1.

Mr. Ashish Sanghi, DAG, Punjab.

- 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)

Impugned in the present revision petition is the order dated 21.07.2011 passed by learned Sub Divisional Judicial Magistrate, Garhshankar, whereby the accused was acquitted of the notice served upon him under Sections 182 IPC. Also challenged is the judgment dated 24.09.2012 passed by learned Sessions Judge, Hoshiarpur, in which the appeal against acquittal was dismissed.

Heard.

Learned counsel for the petitioner contends that an FIR No.75, dated 05.06.2004 under Sections 307, 323, 498-A read with Section 34 IPC and Sections 25 of the Arms Act, 1959 was registered against him, but the accused-petitioner was acquitted on the ground that after the registration of the case, the allegations levelled by respondent No.1 were found to be false and that is why

petitioner filed an application before the SSP for initiating action qua commission of offence punishable under Section 182 IPC against respondent No.1. Therefore, it cannot be said that the allegations levelled in the FIR are incorrect.

Learned counsel for the petitioner further contends that now in the year 2016, the said complaint has also been dismissed. However, when the impugned order and judgment passed by the Magistrate and the Sessions Judge in the year 2011 and 2012 respectively, the complaint was pending. Therefore, there is no illegality or perversity in the impugned order/judgment passed by both the courts below.

In view of the above, the present revision petition stands dismissed.

May 18, 2016
sarita

(KULDIP SINGH)
JUDGE