

**CRM-W-182-2016
IN CRWP-853-2016**

EMAAR MGF LAND LTD V/S UT OF CHANDIGARH & ANR

Present :- Mr. Sujay Kantawala, Advocate for the petitioner.

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Heard.

This is an application filed by the petitioner seeking stay of the impugned proceedings pending in Criminal Complaint bearing No. 41 dated 24.09.2013 titled as “GS Rosa vs. EMAAR MGF Land Ltd. and others” pending in the Court of learned Additional Civil Judge (Sr. Divn.)-cum-CJM, Chandigarh.

Heard the submissions made by learned counsel appearing for the petitioner.

We have observed in the order passed by us on 21.6.2016 in the main Writ Petition as follows :-

“Prima facie, it has been shown that criminal law is being misused. It is imperative to examine the merits of the submissions of the petitioner that criminal law was set into motion with oblique motive to wreak vengeance or to effect settlement of choice by intimidating and arm-twisting the petitioner for undue and illegal benefits.”

On the impression that the criminal case launched against the petitioner by the private respondent was at the stage of investigation, we granted of ad interim protection by directing the official respondent no.1 not to take any coercive steps in pursuance of the impugned criminal

complaint. But it is brought to our notice that Criminal Complaint bearing

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No. 41 dated 24.09.2013 titled as “GS Rosa vs. EMAAR MGF Land Ltd. and others” in the Court of learned Additional Civil Judge (Sr. Divn.)-cum-CJM, Chandigarh is pending disposal.

Therefore, there shall be an order of stay of the above impugned criminal proceedings pending in Criminal Complaint bearing No. 41 dated 24.09.2013 titled as “GS Rosa vs. EMAAR MGF Land Ltd. and others” in the Court of learned Additional Civil Judge (Sr. Divn.)-cum-CJM, Chandigarh.

The application is disposed of accordingly.

(M. JEYAPPAUL)
JUDGE

(A.B. CHAUDHARI)
JUDGE

July 01, 2016
p.singh