

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

**CRL. MISC. No.M-19498 OF 2017**  
**DATE OF DECISION : 31<sup>ST</sup> MAY, 2017**

**Gurbinder Singh**

**.... Petitioner**

**Versus**

**Jaspal Singh & another**

**.... Respondents**

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI**

\* \* \* \*

Present : Mr. Mohit Garg, Advocate for the petitioner.

\* \* \* \*

**A. B. CHAUDHARI, J. (ORAL)**

Heard learned counsel for the petitioner.

This is a petition under Section 340 Cr.P.C. for taking action by way of prosecution of respondents under Section 195 Cr.P.C. read with Section 482 Cr.P.C. for filing false affidavits in this Court in CRM-M-4622-2017.

Learned counsel for the petitioner has invited my attention to the affidavits (Annexure P-4).

In my opinion, since the Sessions trial was already pending at the relevant time and now as stated by learned counsel for the petitioner that respondent No.1 has been convicted and further that this Court does not find it necessary to act under Section 340 Cr.P.C. for prosecuting for filing alleged false affidavit.

In that view of the matter, this petition is dismissed.

**31<sup>ST</sup> MAY, 2017**  
*'raj'*

**(A. B. CHAUDHARI)**  
**JUDGE**

*Whether speaking/reasoned* : *Yes* *No*

*Whether Reportable* : *Yes* *No*