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

**CRM-M-26937-2017
Date of Decision: 27.07.2017**

Jasdeep Kaur Chadha

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Aditya Sanghi, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

Notice of motion.

2. On the asking of the Court, Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

3. Grievance of the petitioner is that some unknown persons fraudulently filed a suit in the Court of Ld. Civil Judge (Junior Division), Jalandhar in her name. It is her specific case that she is in no way connected with the aforesaid civil suit and the purported plaintiff therein, is some impostor. It is the further submission that after the culprits got wind of the fact that the petitioner had come to know about the pendency of the fraudulent suit, they hurriedly withdrew the same. The petitioner now seeks criminal action against the persons involved, whose identity is not known to her. Her specific prayer is for issuance of direction upon the State/Police Authorities for registration of an appropriate FIR against the culprits.

4. Undoubtedly, the offence(s) imputed to the unknown culprits fall within the ambit of Section 205 of the Indian Penal Code (in short 'IPC')

but by virtue of Section 195 (1)(b)(i), the aforesaid offence and its connected offences covered under Chapter-XI of the IPC are cognizable only when the complaint is made in writing by the concerned Court itself, before whom the same were committed. To that extent, therefore, the prayer to direct registration of the FIR does not appear to be in accordance with law.

5. Faced with this, Ld. counsel for the petitioner seeks to withdraw the present petition with liberty to approach the Ld. Court below [Civil Judge (Junior Division)] for appropriate relief in terms of Section 340 read with Section 195 (1) of the Cr.P.C.

6. Dismissed as withdrawn, with the aforesaid liberty.

7. There is no reason to doubt that after filing of the requisite application by the petitioner, the Ld. Court below shall deal with it on merits and in accordance with law, within a reasonable time.

27.07.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No