

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-38057 of 2017

Date of Decision: 10.10.2017

Vinod Kumar

... Petitioner(s)

Versus

Giani Ram and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Gaurav Gupta, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for setting aside the order dated 23.8.2017, passed by the learned Additional Sessions Judge, Faridabad, whereby revision petition, filed by respondent No.1, who was working as a Tehsildar at the relevant time, was accepted and the proceedings qua him were ordered to be dropped.

Learned counsel for the petitioner contended that there was no reason for the learned Revisional Court to drop the proceedings against respondent No.1 as he as well as Patwari, both are accused and they were rightly summoned by the learned trial Court and the order passed by the learned Revisional Court be set aside.

Having considered the submissions made by learned counsel for the petitioner; facts of the case and the findings recorded by the learned Revisional Court on the point, this Court is of the view that learned Revisional Court has taken a most appropriate view qua respondent No.1,

namely Giani Ram, who was working as Tehsildar at the relevant time. For

all reasonableness, he was not expected to visit the village to make any such report and in the normal process, he had relied upon the report submitted by the Patwari, who is expected to visit the spot and submit his report. Patwari concerned has already been summoned to face trial and the revision petition has been accepted qua respondent No.2 only for the valid reasons given by the learned Revisional Court. Thus, there is absolutely no ground for setting aside the well reasoned order, passed by the learned Additional Sessions Judge while exercising the powers under Section 482 of the Code of Criminal Procedure.

In view of above, present petition stands dismissed.

(Shekher Dhawan)
Judge

October 10, 2017

“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No