

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
208**

CRM-M-40035-2016

Date of decision: 30.08.2017

Major Vikas Sehgal

...PETITIONER

VERSUS

State of Punjab and another

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE M. M.S.BEDI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Ms. Puja Chopra, Advocate,
for the petitioner.

Mr. Ayush Sarna, Assistant Advocate General, Punjab.

Mr. V.K.Sandhir, Advocate,
for respondent No. 2.

M.M.S.BEDI, J. (ORAL)

Proceedings under Section 340 Cr. P.C. appear to have been initiated to settle scores between the litigant parties with an objective to harass each other in context to the statement of respondent No. 2 which is regarding the respondent-wife having done M.Ed. from Khalsa College, Amritsar. The fact regarding the respondent-wife having done B.Ed. and M.Ed. was not stated by the respondent in her examination-in-chief but during the course of cross-examination, when she was suggested of having passed B.Ed. and M.Ed., she has denied the same on one particular date and when she has been cross-examined on a subsequent date, she had admitted the said fact as such. Taking the statement as it is, it cannot be said that the respondent had made any false statement affecting the decision of a

particular case. No benefit has been derived by the respondent-wife on the basis of the statement made by her regarding her educational qualification on any particular date.

There appears to be no ground to interfere in the order dated 13.01.2016 passed by the Judicial Magistrate Ist Class, Amritsar dismissing the application under Section 340 Cr. P.C., which has been upheld by the Additional Sessions Judge, Amritsar vide order dated 10.08.2016.

The petition is dismissed.

(M.M.S.BEDI)
JUDGE

August 30, 2017
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No