

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

CRR No.637 of 2000 (O&M)

Date of Decision: 27.03.2018

Food Corporation of India

..... Petitioner

Versus

Madan Lal and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vaibhav Gupta, Advocate for
Mr. K.K.Gupta, Advocate for the petitioner(s).

Mr. M.K.Dogra, Advocate for the respondent(s).

MAHABIR SINGH SINDHU, J. (Oral)

The present revision petition has been filed by the petitioner/FCI against the impugned order dated 17.08.1999, passed by learned Sub Divisional Judicial Magistrate, Batala, vide which partners of M/s Ashoka Rice Mills, Batala, namely, **(i)** Madan Lal s/o Mohan Lal; **(ii)** Ashok Kumar s/o Madan Lal; **(iii)** Sushil Kumar s/o Satpal and **(iv)** Tarlok Chand s/o Madan Lal were discharged in case FIR No.59 dated 10.03.1998, under Sections 406 and 408 of the Indian Penal Code, registered at Police Station Sadar, Batala.

Learned Counsel for the petitioner has contended that the present matter is squarely covered with the view taken in the bunch of petitions by a Coordinate Bench of this Court in CRR No.627 of 2000 on 10.09.2007 and the same has attained finality. The operative part of the same is as under:-

“ For the foregoing reasons, I hereby accept all the aforesaid 12 revision petitions, set aside the impugned orders and remit the case back to the Trial Court with a direction to proceed with the case

from the stage of framing the charge. Since the trial has already been delayed, therefore, the Trial Court will make all endeavor to conclude the trial as expeditiously as possible. ”

Learned Counsel for the respondents has informed this Court that although he was not able to contact his clients, but he has fairly stated that so far as the controversy of factual and legal aspect is concerned, the same is duly covered in view of the decision rendered in CRR No.627 of 2000.

In view of the stand taken by both the parties, the present revision is allowed with the directions in the same terms as passed in CRR No.627 of 2000, reproduced above.

The parties are directed to appear before learned trial Court on 16.04.2018.

Disposed off accordingly.

March 27, 2018

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes