

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

(221)

CRM-A-1581-MA-2017 (O&M)

Date of Decision: July 31, 2018.

Jainendra Gurukul Panchkula

.... Appellant

Versus

Vinod Kumari & ors

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Adarsh Jain, Advocate, for the appellant.

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

Aggrieved by order dated 18.02.2017 passed by Judicial Magistrate Ist Class, Panchkula, the appellant-complainant has filed this appeal.

The complainant had filed a complaint under Section 156 (3) Cr.P.C for seeking a direction to the concerned SHO for registration of a FIR. The said complaint was considered as a complaint and preliminary evidence was recorded and discharge order was passed on 18.02.2017. The complainant had lodged a complaint against Vinod Kumari wife of Om Parkash, his tenant, alleging that she had executed an agreement of sale of the tenanted premises on the basis of GPA and a Will. The complaint has been dismissed on the ground that only photocopy of the documents had been produced on the record. None of the original documents being available, the Court had discharged the respondents.

We have carefully gone through the judgment and are of the opinion that the allegations in the complaint itself do not indicate any wrongful loss having been caused to the complainant or any wrongful gain

to the accused who have been discharged. The trial Court has passed a reasonable order of dismissal of the complaint as there was no admissible evidence produced on the record.

We do not find any ground to interfere in the order of discharge passed by the lower Court in the complaint filed by the complainant.

The application for leave to appeal is dismissed.

Miscellaneous application i.e. CRM-23660-2017 for condonation of delay is also dismissed.

(M.M.S. BEDI)
JUDGE

July 31, 2018
harsha

(ANUPINDER SINGH GREWAL)
JUDGE

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