

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

222

**CRM-A-317-MA-2017 (O&M).
Date of Decision: 15.12.2018.**

Manjit Inder Pal Singh Dhillon

....Applicant.

Versus

Kulwant Kaur

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. G.S. Benipal, Advocate for the applicant.

Shekher Dhawan, J.

Present application under Section 378(4) of the Criminal Procedure Code is for grant of leave to appeal against the judgment dated 02.11.2016 passed by learned Judicial Magistrate Ist Class, Jagraon, on the ground that learned Magistrate has not considered the merits of the case while passing the judgment dated 02.11.2016. There is a delay of 20 days in filing the present application.

Having considered the averments of learned counsel for the applicant, this Court is of the view that learned Magistrate has rightly taken the view that though cancellation report was filed and the news item was not found to be false and is otherwise covered under the Exception clause as provided under Section 499 of the Indian Penal Code, 1860. Moreso, learned Magistrate has also considered the aspect that present case was not covered as per law of limitation as well. There is nothing wrong with the judgment dated 02.11.2016 and the present application is without any merit specially when it is filed after a delay of 20 days.

In view of the above, the present application is dismissed on merits and on account of delay as well.

(SHEKHER DHAWAN)
JUDGE

15.12.2018
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No