

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

Sr. No.114

CRM-M-11463-2018
Date of decision : 20.03.2018

Deepak Kumar and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sanjeev Arora, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners seek quashing of order dated 10.10.2017 (Annexure P-4) passed by the Addl. Sessions Judge, Ferozepur, whereby he has set aside order dated 15.03.2017 (Annexure P-3) passed by the Judicial Magistrate First Class, Ferozepur, dismissing the complaint filed by respondent No.2.

Respondent No.2 had moved a complaint against the petitioners making allegations of cheating and forgery. After taking into consideration, the preliminary evidence produced on the record, the trial Court dismissed the complaint.

Learned counsel for the petitioners submits that the learned Addl. Sessions Judge, Ferozepur, has observed in the impugned order that prima facie case is made out against the petitioners and has consequently, set aside order dated 15.03.2017 (Annexure P-3) and has remanded the case for a fresh decision. Legally, I do not find any error in the impugned order. However, the learned trial Court is directed to decide the complaint afresh on merits without being influenced by the observations of the learned Addl. Sessions Judge, Ferozepur.

Accordingly, the petition is disposed of.

(SUDHIR MITTAL)
JUDGE

20.03.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No