

CRM-M-36124-2012

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

**CRM-3784-2017 in/and
CRM-M-36124-2012
Date of decision : 25.09.2018**

Ram Niwas Soni

..... Petitioner

versus

D.S.Dessi

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Applicant-petitioner in person.

Mr.Vivek Suri, Advocate for the respondent.

KULDIP SINGH, J. (ORAL)

CRM-3784-2017

This is an application for early hearing of the case. Learned counsel for the respondent does not oppose the early hearing as he is ready to argue the case today itself. Therefore, the application is allowed. The petition is taken on board today for hearing.

CRM-M-36124-2012

Present petition has been filed under Section 482 of Cr.P.C.against order dated 07.12.2010 passed by learned Additional Sessions Judge, Bhiwani vide which the revision filed by the petitioner against the dismissal of application under Section 156(3) Cr.P.C.was dismissed by learned JMIC, Bhiwani.

I have heard the petitioner in person and learned counsel for the respondent.

Petitioner filed a complaint against the respondent who, while

working as Director, S.J.E. Haryana, declined him exemption from paying road tax which according to him was permissible to him being physically challenged person. Complainant-petitioner had purchased an Alto LXI car and had applied for registration to the Registering Authority, Bhiwani. The grouse of the petitioner is that the respondent supplied a wrong information to the Govt. of India that they are granting such exemption whereas in fact, they were not doing so. The impugned order shows that the statement of the complainant/revisionist was recorded by the trial Court that thereafter, he did not want to lead oral evidence and closed preliminary evidence. The trial Court sought a report under Section 202 Cr.P.C. and thereafter the complaint was dismissed.

I am of the view that respondent was discharging his official duties and he passed an order declining exemption from paying road tax by the petitioner. If the petitioner was aggrieved of the same, he could have approached the higher authorities. The allegations levelled against the respondent are based on conjectures and surmises. No case is made out against the respondent.

Petition is dismissed

(KULDIP SINGH)
JUDGE

25.09.2018
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No