

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

CRM-M-33645-2018

Date of decision:-19.9.2018

Sunita Verma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Gourave Bhayyiya, Advocate
for the petitioner.

H.S. MADAAN, J.

By way of filing the present petition under Section 482 Cr.P.C., petitioner - Sunita Verma, who is complainant in a case registered vide FIR No.116 dated 13.8.2016, under Sections 376D, 328, 450, 506 IPC and Section 8 of POCSO Act registered with Police Station Women Cell, Sector 16-A, Faridabad pending trial in the Court of Additional Sessions Judge, Faridabad craves for issuance of directions to official respondents to take appropriate legal action against accused Kamlesh and ASI Maya Rani for giving/producing misleading, concocted and forged evidence, hiding the correct original version.

After hearing the learned counsel for the petitioner, I find that the petition lacks merit. The trial in the case is going on. The

complainant may bring all the grouses/grievances mentioned in the petition to the notice of the trial Court and then the trial Court may take appropriate action in the matter.

Chapter XXVI of the Code of Criminal Procedure deals with provisions as to offences affecting the administration of justice. Under this Act Section 340 Cr.P.C. appears which deals with procedure in cases mentioned in Section 195 Cr.P.C.

Section 195 Cr.P.C. reads as under:

195. Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence.—(1) No Court shall take cognizance—

(a) (i) of any offence punishable under sections 172 to 188 (both inclusive) of the Indian Penal Code, (45 of 1860), or (ii) of any abetment of, or attempt to commit, such offence, or

(iii) of any criminal conspiracy to commit such offence, except on the complaint in writing of the public servant concerned or of some other public servant to whom he is administratively subordinate;

(b) (i) of any offence punishable under any of the following sections of the Indian Penal Code (45 of 1860), namely, sections 193 to 196 (both inclusive), 199, 200, 205 to 211 (both inclusive) and 228, when such offence is alleged to have been committed in, or in relation to, any proceeding in any Court, or

(ii) of any offence described in section 463, or punishable under section 471, section 475 or section 476, of the said Code, when such offence is alleged to have been committed in respect of a document produced or given in evidence in a proceeding in any Court, or

(iii) of any criminal conspiracy to commit, or attempt to commit, or the abetment of, any offence specified in sub-clause (i) or sub-clause (ii) .

Therefore, in view of the above discussion, the instant petition under Section 482 Cr.P.C. cannot survive and is dismissed accordingly.

19.9.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No