

CRM-M-5880-2018 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5880-2018 (O&M)

Date of Decision: 16th May, 2018

Mukesh Singhania

...Petitioner

Versus

Century Knitters India Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Mr. Ankur Ghai, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this petition is to the order dated 24.01.2018 passed by the Additional Sessions Judge, Ludhiana (Annexure P-3), vide which, while allowing the revision petition and setting aside the order dated 23.08.2017 passed by the Judicial Magistrate Ist Class, Ludhiana, petitioner who is alleged to be accused in the complaint, has been ordered to appear before the trial Court.

This, the learned counsel for the petitioner states, is not permissible under law in the light of Section 398 of the Code of Criminal Procedure.

Counsel for the respondent could not dispute the legal position.

In view of the above, order dated 24.01.2018 (Annexure P-3) passed by the Additional Sessions Judge, Ludhiana, is modified to the

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extent that the case would be taken up by the trial Court for further inquiry, which shall thereafter apply its independent mind and pass appropriate orders, in accordance with law. It goes without saying that any observation made by the Revisional Court shall have no bearing on the merits of the case.

CRM-17759-2018

In the light of the disposal of the main revision petition, the present application has become infructuous.

Disposed of as such.

16th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No