

Crl. Misc. No. M-2889 of 2019

Date of Decision: January 23, 2019

Geetesh

.....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL**

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Present:- Mr. Nitin Sharma, Advocate  
for the petitioner

**Sudhir Mittal, J. (Oral)**

The petitioner seeks quashing of judgment dated 20.08.2018 (Annexure P-3) passed by the learned Additional Sessions Judge, Sonapat whereby her revision against order dated 01.04.2017 passed by the learned Judicial Magistrate Ist Class, Sonapat has been rejected.

It appears that an incident took place on 24.03.2016, in which one Anil died, resulting in registration of FIR No. 84 dated 25.03.2016. The accused therein are persons belonging to the party of the petitioner. Thereafter, on the complaint filed by the petitioner, an FIR No. 103 dated 19.04.2016 was registered against the private respondents. After investigation of FIR No. 103, the police submitted a cancellation report. Thus, an objection petition was preferred by the petitioner and the same has been rejected by the trial Court as well as the revisional Court.

Learned counsel for the petitioner submits that there is medical evidence available on the record which corroborates the statement made by the complainant-petitioner and, thus, the trial Court as well as the revisional Court were in error in dismissing the objection petition.

A perusal of the impugned order shows that the revisional Court has recorded categorical findings that according to the complainant the incident allegedly took place at about 5/6.00 p.m. whereas medico legal report produced in support of the objection petition are of 3/4.00 p.m. Thus, it has been found that only one incident took place and that incident is the subject matter of FIR No. 84 dated 25.03.2016. The objection petition is motivated and has been filed only to create a counter case against the complainants of the aforementioned FIR.

Learned counsel for the petitioner has not been able to show that the aforementioned findings are erroneous or perverse.

Accordingly, there is no merit in the present petition and the same is dismissed.

January 23, 2019

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**[SUDHIR MITTAL]**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether Reportable : Yes/No**