

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

CRM-A No.754-MA of 2014 (O&M)

Date of decision: 6th September, 2019

Ramesh

... Applicant

Versus

Inderjeet & others

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Gaurav Tyagi, Advocate for the applicant.

FATEH DEEP SINGH, J.

The present applicant (then complainant) Ramesh has impugned the judgment dated 10.02.2014 of the Court of learned Judicial Magistrate 1st Class, Sonapat whereby his private complaint against the accused (now respondents) stood dismissed.

Heard Mr. Gaurav Tyagi, Advocate for the applicant and perused the records. .

The complainant filed complaint alleging that the accused Inderjeet, Vinod Kumar and Ravinder Kumar, were instrumental in destroying the wheat crop in the fields of the complainant with a view to make a watercourse for facilitating carrying of water of the Government canal. The accused were summoned by the Court under Sections 323, 427, 500, 506 IPC through order dated 22.09.2012 and thereafter were found innocent and acquitted.

Appreciating the submissions, as has come in the evidence of the complainant in his cross-examination that he did not get his medico legal examination conducted, furthermore he accepts the fact that the watercourse was dug on the Government orders regarding which his appeals stood dismissed. Thus, from this all, it is suggestive that having failed to get relief before a Court of law in the dispute under Northern India Canal Drainage Act, the complainant has conceived a dubious plan and filed a criminal complaint against the accused to undo the effects of a Government decision which went against him. On perusal of the impugned judgment, nothing conceivable is there to accept the claim of the complainant/applicant and therefore his application under Section 378(4) Cr.P.C. for leave to appeal does not merit the audience and therefore stands dismissed.

(FATEH DEEP SINGH)
JUDGE

September 6, 2019
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No