

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

CRM-M-20437-2018
Date of Decision:-13.02.2019

Dr. Raj Rani

... Petitioner

Versus

Gurpreet Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. None has put in appearance on behalf of the petitioner even on the second call.
2. A perusal of the earlier order indicates that the matter in fact had been dismissed for non-prosecution on 6.7.2018, but subsequently the order was recalled and the matter was restored to its original number. However, today again there is no appearance on behalf of the petitioner. It appears that the petitioner is not interested in pursuing this petition. Upon perusal of the impugned order, I find that it is a case where a private complaint had been filed by the petitioner against Gurpreet Singh, Clerk Primary Health Centre; Dr. Niderjit Singh, Medical Officer,

Primary Health Centre and Dr. Gurmail Singh Chahal, SMO PHC Sujjon District SBS Nagar alleging therein that said persons in connivance with each other and in order to cause financial loss to petitioner had prepared incorrect salary bills by not including "House Rent Allowance" in her salary to which she was entitled to in respect of period from April 2004 to June 2008.

3. The Trial Court vide order dated 14.07.2016 dismissed the complaint and discharged the accused inter-alia on the ground that the allegations pertain to an act performed by accused in discharge of official duties and the accused being public-servants could not be prosecuted without previous sanction from competent authority. The complaint was thus dismissed on account of non-maintainability for want of sanction for prosecution. The learned Sessions Judge, SBS Nagar, has also upheld the impugned order while reiterating and affirming the view taken by the trial Court to the effect that in the absence of prior sanction from the competent authority in terms of Section 197 Cr.P.C., the complaint filed by the complainant was not maintainable.
4. I do not find any infirmity in the aforesaid findings. The petition as such is dismissed.

(GURVINDER SINGH GILL)
JUDGE

13.02.2019
Gaurav Sorot

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