

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

CRM-M-24939-2018 (O&M)

Date of decision: 23.01.2019

Ami Lal

... Petitioner

Vs.

Birender and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Dhaliwal, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 03.11.2017 (Annexure P-4) passed by the Additional Sessions Judge as well as the order dated 21.01.2012 (Annexure P-2) passed by the CJM, Palwal in complaint No.75 dated 14.12.2010 (Annexure P-1).

Brief facts of the case are that the petitioner had filed complaint No.COMI 919 of 2014 dated 14.12.2010 under Sections 148, 149, 379, 427, 448, 454, 506, 120-B IPC against the respondents and after the petitioner led his preliminary evidence, the trial Court, vide order dated 21.01.2012, summoned the respondents/accused persons only under Section 448 IPC but did not summon under Sections 148, 379, 427, 448, 454, 506 read with Section 149 IPC.

Thereafter, the petitioner preferred a revision petition before the Addl. Sessions Judge. During pendency of the said revision petition, the trial Court, vide order dated 22.03.2017, acquitted respondents No.1 to 9 in the complaint. Since the scope in said revision petition filed by the petitioner was

limited to the extent that whether the trial Court has rightly charge-sheeted respondents No.1 to 11 only under Section 448 IPC while discharging them from the remaining offences and further discharged respondents/accused No.12 & 13 altogether for all the offences, the revisional Court dismissed the revision petition, observing that since the trial stands culminated after acquittal of the accused persons vide judgment dated 22.03.2017.

In view of the above, I find no merit in the present petition, as remedy available to the petitioner is to challenge the judgment of acquittal dated 22.03.2017 passed by the trial Court, in accordance with law.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

23.01.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No