

CRM-M-29043 of 2017

Date of decision : February 06, 2019

Santosh

....Petitioner

Versus

Ajit and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent : Mr. Jassraj Singh, Advocate
for the petitioner.ARVIND SINGH SANGWAN, J. (Oral)

Present petition has been filed for setting aside the order dated 15.2.2017 passed by the trial Court dismissing the complaint filed by the petitioner as well as the judgment dated 18.3.2017 passed by the Additional Sessions Judge vide which the application under Section 340 filed by the petitioner challenging the aforesaid judgment was dismissed.

Counsel for the petitioner, at the very outset, submits that though the petitioner had relied upon the application filed under Section 340 Cr.P.C. before the DRO-cum-Assistant Commissioner 1st Grade, Jhajjar as well as to the Deputy Commissioner for initiating the proceedings in accordance with law, both the Courts below have dismissed the complaint filed by the petitioner on the premises that in view of the provision made under Section 195 Cr.P.C. the instant complaint is not maintainable.

The counsel for the petitioner submits that he may be permitted to withdraw the petition with liberty to the petitioner to pursue his remedy for the prosecution of the application under Section 340 Cr.P.C. and file appropriate petition seeking a direction to the concerned DRO-cum-Assistant Commissioner 1st Grade, Jhajjar or to the Deputy Commissioner, Jhajjar.

Dismissed as withdrawn with liberty aforementioned.

February 06, 2019

satish

(ARVIND SINGH SANGWAN)
JUDGEWhether speaking/reasoned : YES / NO
Whether reportable : YES / NO