

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

Sr. No.241

**CRR No.2836 of 2018
DECIDED ON: February 25, 2019**

SONU

..PETITIONER

VERSUS

SUNITA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Kartar Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

FIR No.152, dated 25.06.2011, was registered at Police Station Tosham, under Sections 420 and 120-B IPC, against 14 persons including Sunita w/o Ranbir. The FIR came to be registered on a complaint filed by Sonu s/o Sharif, resident of Village Legha Bhanan, Tehsil Tosham, District Bhiwani on the allegation that Sunita w/o Ranbir had been appointed on the post of Anganwari Helper by making a false representation that she was a widow. Vide judgment dated 25.03.2016, the learned Sub-Divisional Judicial Magistrate, Tosham, acquitted the aforementioned Sunita and other 13 accused persons who had been summoned under Section 319 Cr.P.C.

The appeal filed by the petitioner was rejected vide judgment dated 04.06.2018 on the ground that no appeal at his behest was

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maintainable as he was not a victim 'in terms of the judgment of *M/s Tata Steel Ltd. vs. M/s Atma Tube Products Ltd. and others, 2013 (2) R.C.R. (Criminal) 1005'*.

Learned counsel for the petitioner submits that the petitioner fell within the definition of victim 'as his wife had applied for the post of Anganwari Worker and thus the Appellate Court was in error in dismissing the appeal.

The argument is misconceived as the petitioner cannot be said to be a victim 'merely because his wife was an applicant for the post of Anganwari Worker'. The complaint should have been filed by his wife and the appeal should also have been filed by her. Having not done so, no error can be found in the impugned judgment.

The revision petition is accordingly dismissed.

February 25, 2019

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No