

CR No.4135 of 2019 (O&M)
Date of Decision: 08.07.2019

Kawaljit Singh Walia

.....Petitioner

Versus

Shinder Singh Mandair and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. G.S. Bedi, Advocate
for the petitioner.**NIRMALJIT KAUR, J. (ORAL)****CM-14121-CII-2019**

Allowed, as prayed for.

CR-4135-2019

The present revision petition is filed against the order dated 12.01.2018 passed by the Additional Civil Judge (Senior Division), Mohali (for short, the Rent Controller), vide which, the liberty was granted to respondent No.1 to initiate criminal proceedings against the petitioner.

While praying for allowing the present revision petition, learned counsel contended that the very basis for the enquiry so initiated is the order dated 12.01.2018, which has prejudiced him.

The liberty having been granted to respondent No.1 to initiate criminal proceedings in the suit does not mean that the petitioner has been held guilty. Respondent No.1 always has a right to initiate criminal proceedings if he so desired or if any criminal offence is so made out, even if the liberty was not granted. Hence, no ground to interfere is made out.

Admittedly, the enquiry in pursuance to the complaint filed by respondent

No.1 is pending before respondent No.2. Hence, the revision petition is disposed of with liberty to raise all the pleas as raised herein before respondent No.2 and this Court has no doubt that respondent No.2 shall take the same into consideration without being prejudiced by the order dated 12.01.2018.

(NIRMALJIT KAUR)
JUDGE

08.07.2019
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No