

Sr. No.107

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

CRR-1992-2019(O&M)

Date of decision:16.08.2019

Pankaj Dhimaja

.....Petitioner

versus

State of Haryana and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

|Mr. M.K.Sangwan, DAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed challenging the impugned Order dated 05.07.2019 and charge sheet thereof, issued by the Chief Judicial Magistrate, Panipat.

It is not even disputed that the Order in this case has been passed by the Court of Chief Judicial Magistrate, Panipat. Although the revision petition at the instance of the complainant, challenging charge against the accused, may not even be maintainable, however, otherwise also, the remedy of revision in the first instance is before the Sessions Court. This Court has already considered this aspect, of a concurrent jurisdiction with the High Court and the Sessions Court; in ***CRM-M-62048-2018, Naveen Kumar vs. State of Haryana, decided on 14.01.2019***; and held that in case of concurrent jurisdiction the Court of first instance should be approached first.

In view of the above, present petition is dismissed. However, the petitioner is at liberty to avail his alternate remedy in accordance with law.

16th August, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*
Whether Reportable *Yes/No*