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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 1236/2019

DAVENDER Appellant
Through Mr. Suraj Bhan, Adv.

versus

STATE & ORS. Respondents
Through Mr. K.K. Ghei, APP for State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **24.10.2019**

CRL.M.A. 39161/2019

Allowed, subject to all just exceptions.

Application is disposed of.

CRL.A. 1236/2019

Vide the present appeal, the appellant seeks direction:-

1. Setting aside the Impugned Order dated 13.09.2019 against dismissing the application U/s 340 Cr.P.C. by the Ld.Trial Court Ld.P.J.F.C.(N-E) Karkardooma Courts, Shahdara, Delhi in case M.T.No.41/16 (New No.M.T.32/18) P.S. Gokal Puri titled as Ms.Parneeta and Ors. Vs. Davender in the petition U/s 125 Cr.P.C.
2. Giving direction/order for making and sending a complaint by the Ld.Trial Court against the respondent No.2/wife who has committed offences punishable U/s 181/182/191/193 & 209 I.P.C. to competent court of law for disposing the complaint.

The petitioner has challenged the order dated 13.09.2019 passed by the learned Trial Court whereby the application filed by applicant under Section 340 Cr.P.C has been dismissed.

On perusal of the impugned order, the learned Trial Court has observed that application filed by the petitioner under Section 340 Cr.P.C is vague, how and in what way false information has been made by the respondent. It is further observed that in the absence of specific allegations the application under Section 340 Cr.P.C. is dismissed.

This Court repeatedly asked the petitioner as to in what way in application u/s Section 340, the respondent has made false information, however, he could not specifically reply to the same.

Therefore, the petitioner failed to establish in what manner the respondent made false information, first before the Trial Court and again before this Court.

I find no merit in the appeal, the same is, accordingly, dismissed.

SURESH KUMAR KAIT, J

OCTOBER 24, 2019

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