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

+ CRL.M.C. 2203/2018

CHANDRA PAL

.....Petitioner

Through: Mr. I.B.S. Thokchom, Advocate

Versus

STATE & ANR

.....Respondents

Through: Dr. M.P.Singh, Additional Public
Prosecutor with SI Ranbir Singh
Ms. Sunita Arora, Advocate for
respondent No. 2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
22.02.2019

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Impugned order of 25th July, 2016 summons petitioner for the offence under Section 3 of *the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015*.

The challenge to impugned order is on the ground that complaint under the aforesaid enactment can be entertained by special court constituted under the aforesaid Act, which has to be the court of sessions. It is so provided by Section 14 of the aforesaid enactment.

Upon hearing and on perusal of the impugned order and the material on record, I find that trial court had no jurisdiction to pass the impugned order because as per Section 14 of the aforesaid enactment, special court under this Act, i.e. designated court of sessions only, can deal with the complaint made under this enactment.

Accordingly, the impugned order of 25th July, 2016 is hereby quashed and second respondent is granted permission to file a fresh complaint on same facts before the designated special court, within a period of four weeks from today. It is made clear that if it is so done, then it be entertained while waiving objection of limitation.

This petition is accordingly disposed of.

(SUNIL GAUR)
JUDGE

FEBRUARY 22, 2019

v