IN THE HIGH COURT OF MANIPUR
AT IMPHAL

M.C. (EL. PET.) NO. 7 OF 2020
Ref: - Election Petition No. 1 of 2017

Shri Yengkhom Surchandra Singh, aged about 67 years, son of Late Y. Yaima Singh, resident of Kakching Turel Wangma, P.O. & P.S.-Kakching, District Kakching, Manipur– 795103.

…… APPLICANT

-VERSUS-

1. Shri Mayanglambam Rameshwar Singh, aged about 50 years, son of M. Aber Singh, resident of Makha Lou, Kakching Khullen, P.O. & P.S. Kakching, District Kakching, Manipur – 795103.
2. Shri Naorem Achouba, aged about 64 years, son of Late N. Naran, resident of Kakching Ningthou Leikai, P.O. & P.S. Kakching, District- Kakching, Manipur– 795103.

…….. OPPOSITE PARTIES

With

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BEFORE
HON'BLE MR. JUSTICE M.V. MURALIDARAN

For the Applicants	::	Mr. Th. Ibohal, Sr. Advocate, Mr. Th. Modhu, Advocate, Mr. Th. Henba, Advocate, Mr. A. Sunilkumar, Advocate.
For the Respondents	::	Mr. A. Mohendro, Advocate Mr. AjoyPebam, Advocate Mr. Devendra Sharma,Advocate.
Datesof Hearing	::	***20.10.2020 and 21.10.2020.***
Date of reserving Judgment & Order	::	**21.10.2020**
Date of Judgment & Order	::	***05.11.2020***

JUDGMENT AND ORDER
(CAV)

1. Heard learned counsel for the parties.

2. In these petitions, the applicant sought to hold an enquiry under Section 340 Cr.P.C. against the election petitioner on. the allegation that he had committed the crime punishable under Sections193, 199, 200, 209 and 471 IPC for forging and fabricating Ex.P5 and to stay the further proceedings of the Election Petition till the disposal of the application for holding enquiry.

3. While deciding the main Election Petition, this Court finds that Ex.P5 is genuine and no forgery and/or fabrication has been proved by the applicant. Further, before claiming that Ex.P5 is a forged one, the applicant has to produce their original or certified copy of the same. Without producing the original or certified copy of the said document,how the applicant claimed that Ex.P5 is a forged document. Moreover, there is no plea in respect of forgery m the written statement filed by the applicant in the main Election Petition.

4. In view of the said finding arrived at by this Court in the main Election Petition, both petitions in M.C.(E.P.) No.7 and M.C.(E.P.) No. 8 of 2020 are closed.

JUDGE

Yumkham Rother

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Date: 2020.11.05 14:56:00 +05'30'

FR/NFR

Sushil