

CRM-M-20564-2020

Date of decision: 27.7.2020

Navjot Lehal

.....Petitioner

Versus

Parbhash Chand Singal

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Petitioner- Navjot Lehal in person.

NIRMALJIT KAUR, J. (Oral)

A complaint was filed by the petitioner herein against the respondent for having submitted affidavit dated 22.10.2018 in his application for renewal of his passport on the ground that no other civil or criminal case is pending against the accused in any Court of India, whereas, various civil and criminal cases such as FIR No.9 dated 18.1.2018 under Section 420, 406 & 120-B IPC was registered against the Managing Committee of Ajanta Coop. House Building (First) Society Ltd. whose president was Mr. P.C. Singal, the present respondent where too, he was not involved in his personal capacity but as being the president of the Managing Committee of Ajanta Coop. House Building (First) Society Ltd. all proceedings, which are instituted against the Managing Committee of Ajanta Coop. House Building (First) Society Ltd. and not in his personal capacity. Moreover, the criminal complainant filed by the petitioner was barred under Sections 193, 199 of IPC and the Court is precluded from taking cognizance in view of the specific embargo under Section 195 (1) and (2) of the Code. Further the respondent has only been issued show

It is pointed out that FIR No.20 dated 28.2.2017 was registered by the petitioner-complainant and whereas, the affidavit was filed on 22.10.2018, in which this fact was duly disclosed in the affidavit. If it is so, then no fault can be found with the orders dismissing the complaint of the petitioner especially taking into account that the same has been filed only to restrain the respondent from getting his passport renewed, whereas, the Court of Judicial Magistrate, Ist Class, Chandigarh has already observed in its order dated 1.5.2019 that the respondent shall not go abroad without the permission of the Court.

In view of the above, no interference is called for.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

27.7.2020
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No