

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

209

CR No.1346 of 2021 (O&M)
DATE OF DECISION : 3rd MARCH, 2022

National Spot Exchanged Ltd.

.... Petitioner

Versus

Janak Raj Singh & Ors.

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Puneet Jindal, Sr. Advocate with
Mr. Vikas Kuthiala, Advocate for the petitioner.

Mr. K. S. Nalwa, Advocate for respondent No. 1.

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RAJBIR SEHRAWAT, J. (Oral)

CM-9170-CII-2021

This is an application filed under Section 151 C.P.C. for
Placing on record reply along with Annexures R-1 to R-8.

The application is allowed as prayed for and the reply along
with Annexures R-1 to R-8 are taken on record.

CR No.1346 of 2021

The petitioner has filed this civil revision under Article 227
of the Constitution of India, praying for setting aside orders dated
13.10.2020 (Annexure P-3) and 15.10.2020 (Annexure P-3A) along with
the proceedings arising out of Commercial Suit No.8 of 2020 pending
before the court of Additional District Judge, Fatehgarh Sahib, Punjab;
along with certain other prayers.

The counsel for both the parties are *ad idem* that while dealing with the civil suit, the order qua criminal aspect could not have been passed by the trial court. Otherwise also the court is seized of only the civil aspect of the matter and the criminal aspect is not within its jurisdiction either on the territorial limits or on the subject matter aspect; with reference to the FIR registered in the case. Moreover, in a subsequent order even trial court has sought to clarify that it had not passed the order qua criminal aspect.

In view of the above, the present petition is allowed and the impugned orders dated 13.10.2020 (Annexure P-3) and 15.10.2020 (Annexure P-3A), are set aside to the extent the same are interfering with the criminal aspect of the matter in any manner.

3rd March, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No