

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

**CRM-M No.44892 of 2022
Date of decision : December 21, 2022**

BHAJAN SINGH (DECEASED) THROUGH LR

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :-Mr. J. S. Gill, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present petition has been preferred against the judgment/order dated 4.3.2022 (Annexure P-3) passed by the Court of Sessions Judge, Bathinda whereby the revision preferred by the petitioner against the judgment dated 31.10.2019 passed by the SDJM, Talwandi Sabo dismissing the complaint stands rejected.

Learned counsel for the petitioner at the outset submits that the petitioner approached the wrong forum by filing revision instead of seeking leave to appeal. Apart from that on the merits of the case, counsel for the petitioner has not been able to point out any infirmity in the orders passed by the courts below.

Principles with respect to the exercise of jurisdiction under Section 482 Cr.P.C. are well settled in **Inder Mohan Goswami Vs. State of Uttaranchal, 2007 (4) RCR (Criminal) 548** wherein this Court observed:

“ This court in a number of cases has laid down the scope and

ambit of courts' powers under section 482 Criminal Procedure Code Every High Court has inherent power to act ex debito justitiae to do real and substantial justice, for the administration of which alone it exists, or to prevent abuse of the process of the court. Inherent power under section 482 Criminal Procedure Code can be exercised :

- (i) to give effect to an order under the Code;*
- (ii) to prevent abuse of the process of court, and*
- (iii) to otherwise secure the ends of justice.*

24. Inherent powers under section 482 Criminal Procedure Code though wide have to be exercised sparingly, carefully and with great caution and only when such exercise is justified by the tests specifically laid down in this section itself. Authority of the court exists for the advancement of justice. If any abuse of the process leading to injustice is brought to the notice of the court, then the Court would be justified in preventing injustice by invoking inherent powers in absence of specific provisions in the Statute.”

There being no legal infirmity in the orders passed by the courts below and present case not falling within the principles of law laid down with respect to exercise of jurisdiction under Section 482 Cr.P.C.

No ground is made out which would warrant interference.

Consequently, the present petition stands dismissed.

(PANKAJ JAIN)
JUDGE

December 21, 2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No