

In the High Court of Punjab and Haryana at Chandigarh

201

CRM-M-36842-2017 (O & M)

Date of Decision: July 17, 2023

ISLAM AND ANR.

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: None for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

No one has put in appearance on behalf of the petitioners. Even on last few occasions, nobody has appeared for the petitioners.

The petitioners have challenged the order dated 14.02.2017 whereby a complaint has been made against the petitioners for proceeding against him under Section 193 IPC.

The petitioners had made a complaint which led to the registration of the FIR No.26 dated 17.06.2015 under Sections 7 and 13 of the Prevention of Corruption Act, registered at Police Station SVB, Gurgaon. They had also recorded their statements under Section 164 Cr.P.C. before the Magistrate wherein they had reiterated the allegations. The allegations were with regard to the accused demanding and taking bribe from the petitioners. The petitioners thereafter are stated to have resiled from their statement under Section 164 Cr.P.C. The trial Court after issuing him notice and considering his reply had

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directed that the petitioners be tried under Section 193 IPC. It is apparent that prima facie case under Section 193 IPC is made out against the petitioners. The statements of the petitioners had been recorded before the Judicial Magistrate but they later did a volte face to help the accused. Therefore, I do not find any infirmity in the impugned order of the trial Court.

Consequently, the petition stands dismissed.

It is clarified that the observations made hereinabove are only for deciding the petition and would not have any bearing on the merits of the case.

(ANUPINDER SINGH GREWAL)
JUDGE

July 17, 2023

A.Kaundal

Whether speaking/ reasoned : Yes/No

Whether Reportable : Yes/No