

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.112

CRM-M-26471-2022 (O&M)

Date of decision : 25.04.2023

Maman Sharma

..... Petitioner

VERSUS

Jitender Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Parminder Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

CRM-18165-2023

Allowed as prayed for.

Annexures P6 & P7 are taken on record.

CRM-M-26471-2022

This petition has been filed under Section 482 Cr.P.C. for setting aside the order dated 24.08.2018 (Annexure P2), whereby, criminal complaint filed by the petitioner under Sections 167, 170, 177 & 34 IPC has been dismissed without summoning the accused therein. Challenge has also been made to order dated 20.05.2022 (Annexure P4), whereby, the revision has been dismissed.

Learned counsel for the petitioner has submitted that the accused being public servants were liable to be proceeded against criminally for having submitted a wrong report in proceedings under Section 7 of the Punjab Village Common Land Act, 1961.

A perusal of the revisional order shows that the said proceedings are still pending and thus, it cannot be said with any amount of certainty that a public servant has furnished a wrong report. Such a finding cannot be returned even *prima facie* considering the facts of this case and thus, invocation of jurisdiction of this Court under Section 482 Cr.P.C. is not justified.

The petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

25.04.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No