

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

CRR No.4021 of 2016 (O&M)

Date of decision : 13.09.2023

Ramesh

....Petitioner

Versus

Satywati and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : None for the petitioner.

Mr. Kulveer Narwal, Advocate,
Mr. Shubham Chaudhary, Advocate and
Mr. Satish Kumar, Advocate for the respondents.

PANKAJ JAIN, J.

Complainant is in revision against the judgment passed by Additional Sessions Judge, Rohtak dated 2nd of June, 2016 affirming the order passed by SDJM, Meham dismissing the complaint filed by the petitioner against the respondents under Section 340 Cr.P.C. alleging offence under Section 195 of the Indian Penal Code.

2. Petitioner preferred complaint against the respondents claiming false deposition by respondent No.1 Satyawati on affidavit in Civil Suit filed by the plaintiff. It was further claimed that accused No.3 Kailash prepared false record by entering name of Shri Chand as cultivator in possession of the suit land despite the fact that he expired long back. Similar allegations were levelled against accused No.2 Rajesh of having deposed falsely before the Civil Court.

3. The complaint was dismissed by the SDJM, Meham on the ground that the complaint at the hands of the petitioner was not maintainable in light of the provisions as contained under Section 195 Cr.P.C. The said order has been reiterated and affirmed by the Appellate Court.

4. Since July 05, 2018 the petitioner has remained unrepresented.

5. I have gone through records of the case.

6. As per settled law, Section 340 Cr.P.C. prescribes the procedure for the complaints preferred under Section 195 Cr.P.C. Under Section 195 Cr.P.C., it is open to the Court before whom the offence was committed to prefer a complaint for the prosecution of the contempt. Section 195 Cr.P.C. being mandatory no Court can take cognizance of the offences referred therein on the complaint made by a person other than the one authorized under the said provision.

7. In view of above this Court does not find any material infirmity in the orders passed by the Courts below that would warrant exercise of revisional jurisdiction by this Court under Section 401 of the Code.

8. Resultantly, the present petition is dismissed.

September 13, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No