

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-58972-2023

Date of Decision : November 23, 2023

RAJENDER AHLAWAT @ RAJJU

-Petitioner

V/S

STATE OF HARYANA

-Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Babbar Bhan, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the impugned order dated 03.08.2023, whereby, the learned Additional Sessions Judge, Charkhi Dadri, dismissed his application with costs of Rs.25,000/-, as moved under Section 302 of the Cr.P.C., thereby seeking permission to conduct prosecution of FIR No.223 dated 25.07.2023, under Sections 504, 505(2) of the IPC, and, Sections 3(1)(r) and 3(1)(u) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. At the very outset, the learned counsel for the petitioner submits that he does not intend to assail the validity of the impugned order (supra), however, he submits that if the learned Judge concerned was not inclined to grant the relief, as claimed in the application (supra), he could have adopted a lenient approach and may have simply dismissed the application, without imposing any cost. Therefore, at this stage, he

makes a prayer for waiving off the cost, as imposed upon the petitioner, through the impugned order (supra).

3. Considering the innocuous prayer made hereinabove by the learned counsel for the petitioner, coupled with the ‘No Objection’ expressed by the learned State counsel, in case the asked for relief is granted to the petitioner, this Court deems it appropriate to modify the impugned order (supra) only to the extent that the cost, as imposed upon the petitioner therein, is hereby made good.

4. Disposed of accordingly.

November 23, 2023
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No