



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

CRM-M-46786-2017

Date of Decision: 23.04.2026

Triloki Bhushan @ Pappi Mehta

...Petitioner

Vs.

Guddi Devi and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Lajpat Sharma, Advocate
for the petitioner.

Mr. Satbir Singh Gill, Advocate
for respondent No.1.

Mr. Parmod Kumar, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C with a prayer to quash the impugned order dated 13.10.2017 (Annexure P-5) passed by the Court of Additional Sessions Judge, Sirsa, whereby, the revision petition filed by respondent No.1 was accepted.

2. The only contention raised by learned counsel for the petitioner is that the Trial Court had dismissed the complaint (Annexure P-3), while exercising his powers under Section 203 Cr.P.C. The respondent/complainant had filed a revision petition before the Court of Sessions Judge, Sirsa. Vide the impugned order dated 13.10.2017 (Annexure P-5), the Court of Additional Sessions Judge, Sirsa had set aside the order passed by the Court of Judicial Magistrate Ist Class, Sirsa and the Magistrate was directed to pass an order afresh in the light of the observations made by the Revisional Court.

3. Learned counsel for the petitioner submits that the said order has been passed by the Revisional Court by completely overlooking the mandatory provisions of 398 Cr.P.C and while directing the Magistrate, to pass a fresh order, the Revisional Court should have ordered the holding of further enquiry in the matter and thereafter, to pass fresh order in the accordance with law. He further submits that the impugned order may be modified to the extent that the Trial Court may be directed to hold further enquiry in the matter and to pass orders in accordance with law.

4. Learned counsel appearing on behalf of respondents No.1 and 2 have no serious objection to the prayer made by learned counsel for the petitioner.

5. In view of the submissions made by learned counsel for the parties, the impugned order dated 13.10.2017 (Annexure P-5), passed by the Court of Additional Sessions Judge, Sirsa is modified to the extent that the Magistrate shall hold further enquiry in the matter and thereafter shall pass orders, in accordance with law.

6. The petition is partly allowed in above terms.

(N.S.SHEKHAWAT)
JUDGE

23.04.2026
hitesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No