

2026:PHHC:062625



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRR-3307-2014 (O&M)

Raj Kumar Singh (since deceased) through his LRs ...Petitioner

Versus

Amar Singh and another ...Respondents

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	23.04.2026
2	The date when the judgment is pronounced	27.04.2026
3	The date when the judgment is uploaded on the website	27.04.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Jayender Singh Chandail, Advocate
for the petitioner/LRs.

Mr. Ankush Chaudhary, Advocate
for respondent No. 1.

Mr. Satyaveer Singh, Advocate and
Mr. Abhyudaya Paliwal, Advocate
for respondent No. 2.

MANISHA BATRA, J.

1. The instant revision petition has been filed by the petitioner (since deceased) against the order dated 02.07.2014, passed by the Court of learned Additional Sessions Judge, Panchkula, whereby the appeal filed by the petitioner against the order dated 14.06.2011, passed by the learned trial

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Court dismissing the application filed by the petitioner under Section 195(1)(b) and 340 of Cr.P.C., had been dismissed.

2. Brief facts of the case relevant for the purpose are that one Premwati, who owned several properties in villages Ramgarh, Bhanu and Amrala, had filed a suit for permanent injunction before the Court of learned Sub-Judge, Ambala. Premwati had died in the year 1994 during pendency of the said suit. She was issueless. The petitioner moved an application for impleading himself as legal heir of Premwati in the abovementioned suit. However, the respondents claimed themselves to be the legal heirs of Premwati on the basis of a Will dated 01.07.1993. In the said suit, it was concluded by the learned trial Court that the Will relied upon by the respondents was a forged document. Thereafter, the petitioner filed an application bearing No. 75 of 2005 under Sections 195(1)(b) and 340 of Cr.P.C. before the jurisdictional Magistrate making prayer for prosecuting the respondents for commission of offences punishable under Sections 193, 196, 463, 467, 468, 471 and 120-B of IPC. Vide order dated 14.06.2011, the said application had been dismissed by the learned Magistrate. Feeling aggrieved, the petitioner filed an appeal before the Court of learned Additional Sessions Judge, Panchkula, which too was dismissed, vide impugned order 02.07.2014.

3. It is argued by learned counsel for the petitioner that the impugned orders, as passed by the learned jurisdictional Magistrate as well as the learned appellate Court, are not sustainable in the eyes of law as there was ample material on record to prove that the respondents had prepared a

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forged and fabricated Will purported to be issued by deceased Premwati and had used the same before the Court concerned in order to give false evidence. It is also submitted that both the Courts did not apply their judicious mind and committed grave error in dismissing the application/appeal filed by the petitioner. It is, thus, argued that the petition deserves to be accepted, the impugned orders are liable to be set aside and the application moved by the petitioner deserves to be allowed.

4. Learned counsel for the respondents have argued that this petition is not maintainable as the impugned order passed by the learned appellate Court is not revisable under the provisions of Section 341(2) of Cr.P.C. It is, thus, stressed that on the grounds of maintainability itself, the petition is liable to be dismissed. To buttress their argument, learned counsel for the respondents have relied upon the authorities cited as ***Lalit Mohan Mondal and others vs. Benoyendra Nath Chatterjee, 1982 (3) SCC 219*** and ***Nemi Chand vs. State of Rajasthan, Law Finder Doc Id #374663***.

5. This Court has heard the rival submissions.

6. Admittedly and evidently, the petitioner (now represented through LRs) had filed an appeal against the order passed by the jurisdictional Magistrate and the said appeal had been dismissed by the learned appellate Court by passing the impugned order dated 02.07.2014. Thereafter, he filed this revision petition challenging the order dated 02.07.2014. Section 341(2) of Cr.P.C. very clearly says that any order passed by the appellate Court under Section 340(2) of Cr.P.C. shall be final and shall not be revisable. In the cases relied upon by the learned counsel for

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the respondents also, it was observed that the order passed in an appeal under Section 340(1) of Cr.P.C. is not revisable. It is, thus, clear that the petition is not maintainable. The same is accordingly dismissed on the grounds of maintainability.

27.04.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No