

Usha Devi Vs. State of Haryana

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Court : Punjab and Haryana

Decided On : Aug-05-2014

Appellant : Usha Devi

Respondent : State of Haryana

Judgement :

C.R.R.No.2075 of 2014 (O&M) -1- IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH C.R.R.No.2075 of 2014 (O&M) Date of decision : 05.08.2014 Usha Devi Petitioner Versus State of Haryana Respondent
CORAM : HON'BLE Mr.JUSTICE AJAY TEWARI *** Present : Mr.Ashok Kaushik, Advocate for the petitioner.

*** 1.

Whether Reporters of local papers may be allowed to see the judgment?.

2.

To be referred to the Reporters or not?.

3.

Whether the judgment should be reported in the Digest?.

AJAY TEWARI, J.

(Oral) By this petition the petitioner has challenged the order dated 12.05.2014 passed by the Judicial Magistrate Ist Class, Faridabad dealing with objections to the challan filed against her husband and father-in-law.

The precise case of the petitioner is that she had made allegations against nine persons and seven had been exonerated because her husband had produced a forged affidavit alleged to have been executed by her.

As per the learned counsel for the petitioner, once it is established that the said affidavit was a forgery the exoneration of seven other persons would have to be reviewed.

He further argues that in para 4 Sharma Ashish 2014.08.06 15:52 I attest to the accuracy and integrity of this document Chandigarh C.R.R.No.2075 of 2014 (O&M) -2- of the said order the learned Magistrate had directed the concerned SHO to look into the aspect of forgery of the affidavit and, if the fact is established to take action against the persons who have indulged in the forgery.

However, despite the lapse of almost three months no action has been taken by the concerned SHO.

As a result thereof, the accused persons are being illegally benefited.

In the circumstances, the only appropriate order which can be passed in the present case is that the concerned SHO is to reiterate the direction given by the learned Magistrate.

Resultantly, the concerned SHO is directed to expeditiously examine the said affidavit and take consequent action thereon.

Petition stands disposed of in the above terms. Since the main case has been decided, the pending Criminal Misc.

Application, if any, also stands disposed of.

(AJAY TEWARI) August 05, 2014 JUDGE ashish Sharma Ashish 2014.08.06 15:52 I attest to the accuracy and integrity of this document Chandigarh

