

Maya Ram vs. Hira Lal & Anr.

Cr. MP(M) No. 1351 of 2026

23.07.2026 Present: Mr. Jia Lal, Advocate vice Mr. G.R. Palsra,
Advocate, for the petitioner.

Heard.

It appears from the record that the complaint was filed for the commission of offences punishable under Sections 406, 420 and 468 of the IPC. The offence punishable under Section 406 of IPC is punishable with imprisonment for three years, whereas the offences punishable under Sections 420 and 468 of IPC are punishable with imprisonment for seven years each alongwith fine; therefore, the complaint was required to be tried as a warrant case.

Section 249 of the Cr.P.C. provides that when the complainant is absent and the offence may be lawfully compounded or is not a cognizable offence, the Magistrate can dismiss it. *Prima facie*, the offences punishable under Sections 406, 420 and 468 of the IPC are cognizable and the offence punishable under Section 468 of the IPC is not compoundable. Therefore, the essential conditions for dismissing the complaint under Section 249 of Cr.P.C. in the present case is not satisfied.

Let issue notice to the respondents returnable within four weeks, on taking steps within three days.

(Rakesh Kainthla)
Judge

23rd July, 2026
(Nikita)