

O R D E R@@
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....J.....
.SP2

Leave granted.

Heard learned counsel for the appearing parties.

This appeal is directed against the impugned order dated 3.8.2000 passed by the High Court of Allahabad in Criminal Revision No.1520/2000 filed by respondent No.1 herein. The High Court held that the application under Section 156 (3) of the Criminal Procedure Code moved by respondent No.1 before the Judicial Magistrate, Dehradun for directing appellants to register the case against the appellants cannot be treated as a complaint. The impugned order, on the face of it, is totally erroneous and cannot be sustained in law as the said order ignores Section 190 and Section 200 of the Criminal Procedure Code. Further, the High Court has not considered the previous order dated 19.7.2000 passed by the Civil Judge (Jr.Divn.), Rishikesh. In this view of the matter, the appeal is allowed and the impugned order passed by the High Court is set aside.

.SP1

.....J.
(M.B. Shah)

.....J.
(S.N. Variava)

New Delhi,
April 12, 2001.