

**MISC. CASE NO. 11 OF 2021**

*Ref.: Complaint Case No. 2 of 2020*

17.08.2022

1. Complainant and his power of attorney appeared in person.

2. Mr. A. Jankinath Sharma, learned counsel appearing for the Applicants/Respondent Nos. 3 and 4, after several hearings, concluded his submission by submitting that in the fact and circumstances of the present application, the offences alleged to have been committed by the complainant of Complaint Case No. 2 of 2020 comes under the set of offences mentioned in Section 195 (1) (b) (i) Cr.P.C. Section 195 (1) (b) (i) Cr.P.C. reads as under:

**“195. (1) (b) (i) of any offence punishable under any of the following sections of the Indian Penal Code (45 of 1860), namely, sections 193 to 196 (both inclusive), 199, 200, 205 to 211 (both inclusive) and 228, when such offence is alleged to have been committed in, or in relation to, any proceeding in any Court, or”**

3. In the present Misc. Case filed by respondent Nos. 3 and 4/Applicants, it is mentioned in that the present application is an application on behalf of the Respondent no. 3&4/Applicants under Section 340 Cr.P.C. read with Section 195 of Cr.P.C. r/w Section 4(3) of the Manipur Lokayukta Act, 2014 for filing a complaint of the Hon'ble Court against the complainant/ opposite party for punishing under Section 211, 417, 419, 463, 464, 465, 468, 469, 471 & 34 IPC r/w Sec 46(1) of the Manipur Lokayukta Act, 2014. Coupled with a prayer for proceeding against Shri Manihar Sarangthem, aged about 53 years S/o Late Santaram Singh, a resident of Heirangoithong Maibam Leikai alias keibung P.O. & P.S. Singjamei, Imphal West District, Manipur who appears to have committed the offence under section 319 of Cr.P.C. The prayer portion of the present Misc. Case reads as under :

**“It is, therefore, prayed that Your Lordship's may be pleased to hold an inquiry under Section 340 of Cr.P.C. and to file a complaint under Section 195 of Cr.P.C. r/w Sec 46(3) of the Manipur Lokayukta Act, 2014 to a criminal court for punishing the complainant/opp. Party and Shri Manihar Sarangthem who is appearing with the complainant/opp. Party in the Complaint Case no. 2 of 2020 before the Hon'ble Manipur Lokayukta, Imphal under Section 211,417,419,463,464,468,469,471, & 34 IPC r/w Sec 46(1) of the Manipur Lokayukta Act' 2014 for the ends of justice.**

**AND**

**It is, further prayed that Your Lordship's may be pleased to proceed the inquiry against Shri Manihar Sarangthem who appears to have committed the offence in the present proposed inquiry under Section 319 of Cr. P.C. AND meanwhile the further proceedings of the Complaint Case no. 2 of 2020 may be kept in abeyance till the disposal of the present Cril. Misc, Application in order to prevent further multiplicity of proceedings between the parties in the interest of natural justice.”**

*Contd..2/-*

4. Mr. A. Jankinath Sharma, learned counsel appearing for the applicants prays for some days' time to make his submission that it is expedient in the interest of justice that an inquiry should be made into any offence referred to in clause (b) of sub-section (1) of section 195. As prayed for, ten days' time is granted.

5. List this case on 26.08.2022.

6. Registry is directed to furnish a copy of this order to the parties of this case.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**