

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM No. M-10148 of 2014

Date of decision: 15.01.2015

Ram Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr. D.S.Pheruman, Advocate for the petitioners
Mr.Ashish Sanghi, DAG Punjab

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

The allegations against the present petitioners are that petitioner No.2 (ex-chairman of Zila Parishad Amritsar) wife of petitioner No.1 along with her husband obtained different amounts from 18 different dismissed SPOs total amounting to ₹ 17 lacs assuring them that they will be reinstated. Neither money was returned nor they were reinstated.

Learned counsel for the petitioners has argued that in this case, the offence is triable by the Gram Panchayat as under Section 44 of the Punjab Panchayati Raj Act, 1994 (for short, 'the Act'), offence falls within 2nd schedule of the said Act. I am of the view that in this case 18 dismissed SPOs belong to different places. There is nothing on file to show that the offence was committed in the village

of the petitioners. It is a matter of evidence. The money was extracted from them for their reinstatement as SPOs which might invite other offences also.

In these circumstances, on this ground FIR No.76 dated 30.8.2013 under Sections 420/34 IPC at P.S. Kathu Nangal, District Amritsar (Rural) (Annexure P3) along the charge sheet cannot be quashed.

The petition is dismissed.

15.01.2015
gk

(Kuldip Singh)
Judge