

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10937 of 2014 (O&M)
Decided on: February 20, 2015.

Prashant Sharma

.... **Petitioner**

Versus

State of U.T., Chandigarh and others

.... **Respondents**

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Rohit Khullar, Advocate,
for the petitioner.

Mr. Sukant Gupta, Advocate,
for the respondents No. 1 to 3.

M.M.S. BEDI, J (ORAL)

Through instant petition under Section 482 Cr.P.C., petitioner seeks a direction to the official respondents No.1 to 3 for completion of investigation in case FIR No.137 dated 16.07.2003, under Sections 420, 406, 120-B IPC registered at Police Station Sector 3, U.T. Chandigarh.

Grievance of the petitioner is that he had been one of the Directors of Emerging India Group which consisted eleven companies. The petitioner being Director of nine companies claims that when he came to know that M/s Emerging India Infra Limited was selling projects not approved by GMADA as such he resigned from the said group on 29.11.2012. Respondent No. 4 and 5 tried to grab share of the petitioner with mala fide intentions as they had induced the petitioner to make payment to the extent of Rs. 1 crore 75 lacs.

In the reply filed on behalf of the official respondents, it has been informed that the matter has been looked into by the Economic Offences Wing and the FIR was registered under Section 156 (3) Cr.P.C. From the reply it appears prima facie that the allegations of having paid Rs.1.75 crore by the petitioner being his share in the business seems to have not been established by any cogent evidence.

After going through the reply and the documents and the status of the investigation, I do not find any statutory lapse on the part of investigating agency warranting any direction so far as investigation is concerned. It has been informed that on account of certain litigation pending between the parties, the matter is being fairly investigated.

Petition is dismissed at this stage with liberty to the petitioner to approach this Court again in case there is violation of Police Rules or the provisions of Chapter XII of Cr.P.C. Even otherwise it will be open to the petitioners to avail any other legal remedy in accordance with law in case he is not satisfied with the investigation.

(M.M.S. BEDI)
JUDGE

February 20, 2015

harsha