

In the High Court of Punjab and Haryana at Chandigarh

CRM M-12092 of 2015 (O&M)

Date of Decision: April 20, 2015

Ashok Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Gorakh Nath, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 49 dated 05.02.2015, under Section 7 of the Prevention of Corruption Act, 1988, registered at Police Station Indri, District Karnal and all subsequent proceedings arising therefrom.

Learned counsel for the petitioner contends that the FIR in question has never been lodged by the alleged complainant – Yogesh Kumar against the petitioner. The complainant had already filed an affidavit before the Investigating Officer in this regard. Learned counsel further contends that Yogesh Kumar – complainant has made other application to the Superintendent of Police, Karnal also regarding false

lodging of the FIR.

I have considered the contentions raised by learned counsel for the petitioner.

Since there are serious allegations levelled against the petitioner which although are stated to have been denied by the alleged complainant by whom FIR has been registered, the same need to be investigated. FIR cannot be quashed merely on the ground that the person on whose instance an FIR has been lodged has filed an affidavit disowning the lodging of the FIR. As per law, on commission of offence, any one can set law in motion.

Keeping in view the seriousness of the allegations, no ground for quashing of FIR in question is made out.

Dismissed.

April 20, 2015
vkd

[Paramjeet Singh]
Judge