

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-19416 of 2015

Date of decision : 27.11.2015

Raghubir Singh Dhillon

....Petitioner

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kunal Dawar, Advocate for the petitioner.

RAJAN GUPTA J.

Present petition is directed against the order passed by Additional Sessions Judge, Ludhiana whereby order passed by the trial court discharging the accused has been upheld.

Brief factual background of the case is that complainant lodged the FIR stating that he has entered into partnership with the accused to run a joint business. Three firms were floated in which complainant had 40% share. A dispute arose between the partners. As a result, a sum of ₹3,70,46,307/- became due towards the complainant. Certain cheques were issued by the accused in lieu thereof. However, same were dishonored. Instant FIR was lodged. At the stage of consideration of charge, trial court came to the conclusion that no case for any criminal liability was made out. Petitioner unsuccessfully challenged the order before the Additional Sessions Judge, Ludhiana. A perusal of the impugned order shows that it suffers from no legal infirmity. The dispute is between the partners of three partnership firms. It is inexplicable how ingredients of offence under section 420/406 IPC is made out.

Under the circumstances, I do not find any ground to interfere in inherent jurisdiction of this court. Petition is without any merit and is hereby dismissed.

November 27, 2015

Ajay

(RAJAN GUPTA)
JUDGE