

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc. No.M-20535 of 2015(O&M)

Date of Decision: July 13, 2015

Jagdish Singh Dalal son of Shri Diwan SinghPetitioner

Versus

State of Haryana and anotherRespondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.RS Hooda, Advocate for the petitioner.

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TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 474 dated 21.6.2015, under Sections 332, 353, 186, 506 of the Indian Penal Code registered at Police Station City Jind, Tehsil and District Jind.

2. Perusal of the FIR placed on record at Annexure P2 would reveal that the same was registered on the complaint of respondent No.2 i.e. Chander Mohan Mitoya, Area Chief Manager, Regional Office, Union Bank of India, Karnal on the allegations that the petitioner had availed of a loan of ₹5 Crores from the Bank and on account of default in repayment thereof, notices under the Securitisation and Reconstruction of Financial Assets

and Enforcement of Security Interest Act, 2002 had been issued. Allegations pertaining to an incident that has occurred on 19.6.2015 are that when the complainant accompanied by the other officials of the Bank had gone to the house of the accused/present petitioner, they were beaten up with lathis and sticks by the petitioner along with his Gundas and even their official vehicle No.HR-05AC-9626 was damaged. It has also been alleged by the complainant that the petitioner had threatened to kill him as also his other companions. The complainant as also his other companions are stated to have got their medical examination done at Government Hospital, Karnal.

3. Learned counsel appearing for the petitioner would contend that the complaint itself is a concocted story and no such occurrence took place on 19.6.2015. He further argues that the FIR in question has been registered on 21.6.2015 only as a counter-blast to a complaint dated 20.6.2015 that had been lodged by the petitioner against the complainant.

4. Having heard learned counsel for the petitioner at length and having perused the pleadings on record, I am of the considered view that there is no warrant of interference. The allegations contained in the complaint which led to the registration of the FIR are to be investigated by the police. At this stage, the FIR cannot be quashed. The Hon'ble Supreme Court in the case of *M/s Medchi Chemicals & Pharma Pvt.Ltd. v. M/s Biological E.Ltd. & Ors., J.T. 2000(2) SC 426* had examined the scope and ambit of the powers under Section 482 of the Code of Criminal Procedure and had observed that whatever appears on

the face of the complaint is to be accepted and the truth or falsity of the same would not be gone into by the Court at the threshold stage.

5. No ground for quashing of the FIR is made out.
6. Petition is dismissed.

July 13, 2015
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

Note: Whether referred to Reporter? (Yes/No)