

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

**CRM NO. M-3006 OF 2015 (O&M)
DECIDED ON : 29.01.2015**

Major Singh

...Petitioner

versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. P. K. Rapria, Advocate.

K. C. PURI, J. (ORAL)

Challenge in this petition is to the order dated 20.01.2015 (Annexure P-5) passed by Special Judge, Kaithal, vide which the application filed under Section 156 (3) read with Section 190 (c) and Section 39 of the Code of Criminal Procedure (in short "the Cr.P.C"), for registration of FIR, was dismissed.

Briefly stated, the petitioner/complainant filed a complaint to register FIR under Sections 13 (1) (c), 13 (1) (d), 13 (1) (e) of the Prevention of Corruption Act (in short "the Act") and under Sections 409, 166, 175, 176, 187, 202, 217, 420, 120-B of the Indian Penal Code (in short "the IPC"), by invoking the provisions of Section 156 (3) Cr.P.C.

In nut-shell, the allegations made by the petitioner are that Sohan Lal-respondent No.2 was running a Fair Price Shop

and was granted license by the Licensing Authority i.e the District Food and Supplies Controller, Kaithal, to distribute Public Distribution System Commodities to the poor families of village. It is further alleged that said Sohan Lal has made various embezzlements for which he is required to be punished.

Learned counsel for the petitioner has submitted that the petitioner has been non-suited on the ground that he is not a victim, but it is alleged that the petitioner/complainant has given information as provided under Section 39 of Cr.P.C.

However, the said contention is meritless as the learned trial court has observed that criminal proceedings have to be initiated with great care and caution and the same should be based upon the evidence. It is further observed by the trial court that the complainant/petitioner has not been able to collect any evidence against Sohan Lal.

To support his contentions, learned counsel for the petitioner has relied upon report submitted by District Food and Supplies Controller, Kaithal (Annexure P-1).

I have perused the said report. The said authority is well within its rights to initiate action against Sohan Lal, if so desired.

In view of the above discussion, no ground for interference by this court is made out. Consequently, the petition is without any merit and the same stands dismissed.

JANUARY 29, 2014
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(K. C. PURI)
JUDGE