

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CRM-M-34711-2012 (O&M)

Date of Decision: 19.01.2015

Lakhwinder Singh Dhillon

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ravinder Singh Randhawa, Advocate,
for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab,
for the respondent-State.

KULDIP SINGH, J. (ORAL)

The petitioner has filed the instant petition under Section 482, Cr.P.C., for seeking quashing of the order dated 30.11.2010, passed by learned Judicial Magistrate Ist Class, Jalandhar, framing of charge and the order dated 19.08.2011, passed by the revisional Court of Additional Sessions Judge, Jalandhar, whereby the revision petition filed by the petitioner was dismissed.

The allegations against the petitioner are that he produced registration certificate (for short R.C.) of the vehicle in the Court of learned Additional Chief Judicial Magistrate, Jalandhar, which was found to be fake.

Learned counsel for the petitioner has argued that, in this regard, the report of SI Dilbag Singh was obtained. A perusal of the report shows that RC of Smt. Shashi Sharma was found to be genuine. There is no

report that Narinder Singh is the owner of the vehicle. However, the fact remains that even now, the petitioner has not produced any proof before this Court to show that the RC which was produced before the Magistrate was genuine. The charges were framed on the basis of the report of the police under Section 173, Cr.P.C., the statements of the witnesses recorded under Section 161, Cr.P.C., and all the documents placed on file. The defence of the accused is not to be examined at the stage of framing of charge. The case was registered on the complaint of learned Additional Chief Judicial Magistrate, Jalandhar. While framing the charges, the learned Magistrate found sufficient grounds to hold that the above said requirements are met. The revision has already been dismissed by the Court of Session. Therefore, there is no ground to exercise the powers under Section 482, Cr.P.C.

Hence, dismissed.

(KULDIP SINGH)
JUDGE

January 19, 2015
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