

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-3708-2015
Date of decision: 16.02.2015

Rachpal Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.K.K.Goel,Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.76 dated 19.8.2014 under Section 420 of the Indian Penal Code, 1860 registered at Police Station Sandaur, District Sangrur (Annexure P1).

Prosecution story, in brief, is that the labour/complainant party had loaded bags and they were stacked in the Grain Markets. ₹ 7,00,000/- were paid as labour to contractor

Rachpal Singh-petitioner. However, petitioner did not pay the said amount to the labour.

Learned counsel for the petitioner has submitted that the petitioner has been falsely involved in this case. In fact, Balwinder Singh along with petitioner had taken the contract of Mandi Labour Cartage of different Purchase Centres of District Sangrur in the year 2013-2014. Gurdev Singh Manager of the Truck Union has filed a complaint against Balwinder Singh and another partner. Petitioner as well as his partner Balwinder Singh and his mother had made number of complaints regarding the harassment meted out to them by respondent No.2. One of the complaints was pending before Punjab State Human Rights Commission Chandigarh.. Petitioner had been falsely involved in this case at the instance of respondent No.2. Learned counsel has further submitted that the petitioner was found innocent in an inquiry conducted by Superintendent of Police (Detective) Sangrur and in this regard, reliance has been placed on Annexure P7.

In the present case, the allegations levelled against the petitioners are serious in nature. As per the allegations in the FIR, petitioner had been paid wages for the labour by the Punjab State Co-operative Marketing Federation Limited and Punjab State Civil Supplies Corporation Limited . However, the said wages have not been paid to the complainant party/labour. FIR in question was registered against the petitioner on 19.8.2014. Hence, at this stage, it would not be just and expedient to quash the FIR by basing reliance on Annexure P7, Enquiry Report dated 15.3.2014. No

ground to scuttle the proceedings at the very threshold is made out.

Dismissed.

**(SABINA)
JUDGE**

February 16,2015
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