

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

CRR No. 2365 of 2014 (O&M)

Date of Decision: 17.11.2015

Tarlok Singh

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

Mr. R.S.Randhawa, Addl. Advocate General, Punjab
for respondent Nos.1 to 3.

Mr. Kamal Narula, Advocate for respondent No.4.

JASWANT SINGH, J. (Oral)

The petitioner/accused has filed the present revision petition directed against the order dated 07.06.2014, whereby charge under Sections 420, 465, 468 and 471 of the Indian Penal Code has been framed.

The charge against the petitioner is that he belongs to Rai Sikh caste and 15 years ago had secured a government job in the Office of Commissioner, Faridkot by submitting a false Scheduled Caste Certificate of belonging to SirkiBan Caste in spite of the fact that he belongs to Rai Sikh community, which was recognized only as a Backward Class.

It has been averred that Kakka Singh/private respondent No.4 had no locus to file a complaint that a fake Certificate of Scheduled Caste was submitted. It is further stated that the proper procedure of investigation has not been followed as it was the jurisdiction of the State Level Caste Scrutiny Committee to go into such questions. It is being claimed that he belongs to SirkhiBan caste, which was duly verified at that relevant time.

None is present on behalf of the petitioner/accused.

The position has been more or less the same on the previous dates as well.

After hearing learned Counsel for the complainant and learned State Counsel, it is apparent that on the basis of the material placed on record i.e. police report, the charges have been correctly framed. The pleas being taken are not relevant at the stage of framing of charge and would be a matter of defence to be set up by the petitioner/accused and prove the same in accordance with law. Therefore, no case for interference is made out.

Accordingly, the present petition stands dismissed.

November 17, 2015
Gagan

(JASWANT SINGH)
JUDGE