

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-10049 of 2016
Date of Decision: 08.08.2016

Sajjan Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Robin Hooda, Advocate for
Mr. Ramesh Hooda, Advocate
for the petitioner.

HARI PAL VERMA J.

Prayer in this petition filed under Section 482 CrPC is for quashing of FIR No.510 dated 28.12.2015 under Sections 364, 342, 323, 506, 34, 201 IPC registered at Police Station Urban Estate, Rohtak, District Rohtak along with all subsequent proceedings arising therefrom.

Learned counsel for the petitioner has argued that the allegations levelled in the FIR that the complainant was given beatings and was confined in the house, are totally false. Learned counsel has further argued that it has been found in the investigation that the licensed revolver of the petitioner was deposited in the gun house and once his revolver was in the gun house, there was no occasion for the petitioner to put the said

revolver on the *Kanpati* (side of head) of the complainant. As such, the allegation that the petitioner put his revolver on the *Kanpati* (side of head) of the complainant is also false. The complainant was never kidnapped by the petitioner. Rather, he himself came in the city and had taken lift in the car. It is due to party friction in the village, on the account of recent panchayat elections held in December, 2015, the complainant who is neighbour of the petitioner, has falsely implicated the petitioner. He further submitted that there was also delay in lodging the FIR.

I have heard learned counsel for the petitioner.

The FIR in question was registered on 28.12.2015 and the same is at investigation stage. The FIR refers to the call details made by the petitioner from his mobile phone no.90172-18247 to the complainant on his mobile phone no.80856-02838. It further refers to the fact that the complainant had handed over five affidavits and certain documents to the petitioner in order to get his son recruited in Department of Excise and Taxation. However, when the complainant visited the house of the petitioner in this regard, he was given drinks forcibly and was also given beatings in a closed room in order to make him to confess that he had given poison to the younger brother of the petitioner namely Sunil @ Suman and he also had illegal relations with the wife of Sunil. Thus, the allegations levelled in the FIR are quite serious.

Therefore, taking into consideration the nature of offences, no case for quashing of FIR is made out.

Accordingly, the present petition is dismissed.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

August 08, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned? Yes / No

Whether reportable? Yes / No