

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-11735 of 2016(O&M)
Date of Decision: April 27, 2016

Harjinder Singh alias Kalu

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Karanjit Singh, Advocate
 for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against State of Punjab and other respondents for quashing of Calandra under Section 66 of the Punjab Police Act, 2007 dated 11.01.2016 which has wrongly and illegally been filed by respondents No.4 and 6 against the petitioner only to implicate him falsely.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that present petitioner Harjinder Singh alias Kalu gave an application to Police Station Gharinda that an unknown person by covering his face, smashed his car with rod which was parked outside his resort Son Sahib road. The photographs of that unknown person are saved in the CCTV camera and he showed it through laptop to Sh.Ravinder Kumar, the then Inspector

SHO Police Station Gharinda and Davinder Kumar, the then ASI Chowki Incharge Khasa and the unknown person could not be identified due to the reason of his covered face. Thereafter, Harjinder Singh alias Kalu stated that the person who was smashing the car was Kuldeep Singh brother of Mahabir Singh. The police, after investigation found that the car was not smashed by Kuldeep Singh but he was named because a property dispute is running between Mahabir Singh brother of Kuldeep Singh and Harjinder Singh and cases are also going on in the Courts between them.

As Harjinder Singh alias Kalu was not satisfied with the investigation and the report, he again filed complaint on helpline No.181 by stating that ASI Davinder Kumar and Vijay Kumar Head Munshi, Police Station Gharinda demanded bribe of ₹20,000/- from him. On inquiry, these allegations were also found false. In view of these facts, the police filed Calandra under Section 66 of the Punjab Police Act.

Learned counsel for the petitioner argued that the investigation is false and the police is trying to implicate the petitioner falsely.

At this stage, the concerned Court has not taken any cognizance. As per arguments, even summoning order has not been received by the petitioner. There is no material on the record to show that the Calandra is false and frivolous and has been only filed to falsely implicate the petitioner. These facts are to be determined by the trial Court after applying its mind and also after appreciating the

evidence to be produced by the parties. At this stage, there is nothing from which I find that filing of Calandra in question is abuse of process of law.

Therefore, finding no merit in the present petition, the same is dismissed.

April 27, 2016
Vgulati

(INDERJIT SINGH)
JUDGE