

**129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM No.M-13544 of 2016

Date of Decision: April 25, 2016

Harvinder Singh

.... Petitioner

vs.

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. R.S. Longia, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Petitioner seeks quashing of FIR No.842, dated 10.10.2013, under Sections 420 IPC, registered at Police Station Civil Lines, Karnal.

It comes out that the case was registered on the directions of this Court passed in CRM-M No.26292 of 2013, titled as "Dharam Singh Yadav vs State of Haryana and others" on 24.02.2016.

Learned counsel for the petitioner contends that ingredients of Section 420 are not made out. It is a case of double allotment.

Learned counsel for the petitioner has further contends that as per the conditions of the allotment, at the time of allotment, the applicant must not own other property in any Urban Estate in Haryana.

It is stated that the first plot was purchased by the petitioner in the open auction and the same was sold on 29.09.2000.

Thereafter, on 30.09.2000, the present plot was allotted.

Learned counsel for the petitioner has also requested that this petition should be ordered to be heard with CRM-M No.26292 of 2013, pending before coordinate Bench.

It comes out that present petition has been filed for quashing of the FIR, which was registered in pursuant to the directions issued by this Court in CRM-M No.26292 of 2013. In this case, challan is stated to have been presented. If the petitioner feels that the ingredients of Section 420 are not made out, it is always open for him to raise appropriate arguments at the time of framing of the charge.

The list of allotment shows that several public servants and ex-public servants and VVIP got double allotment. This Court does not see any ground to quash the FIR in question.

However, the petitioner is given liberty to raise all the arguments at the time of framing of charge and if he is not satisfied of the order of charge passed by the lower court, he can always seek legal remedy against the said order.

Accordingly, the present petition is dismissed with abovenoted observations.

April 25, 2016
sarita

(KULDIP SINGH)
JUDGE