

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

**CRM No.M-16451 of 2016 (O&M)
Date of Decision: October 24, 2016**

Jaspinder Pal Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sameer Sachdeva, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.04 dated 05.03.2013 under Sections 419, 420, 465, 468, 120-B IPC and Sections 66 and 66D of the Information Technology Act, 2000 registered at Police Station Punjab State Cyber Crime, Police Station SAS Nagar and all subsequent proceedings arising therefrom.

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

The perusal of the record shows that challan has already been presented but the charges have not been so far. Learned counsel for the petitioners, at the time of arguments, argued that no case is made out against the present petitioners and they have been falsely implicated.

The copy of the challan has been placed on the record, which is Annexure P-2. The FIR has been registered on the allegations that at the time of examination of JE/Elect and AE/Elect for appointment in PSPCL,

the candidates were not allowed to take the mobile phones inside the

examination hall and they were not supposed to take photo of the question paper nor they were allowed to take the question paper outside. The question paper was published in the newspaper Jagbani on 19.07.2012. After holding enquiry, the statements of so many witnesses were recorded and it was found that petitioner Jaspinder Pal Singh was having mobile phone bearing No.94645-05639 and petitioner Jagmeet Singh @ Meeta was having mobile phone bearing No.98552-16854. The call details have been given showing that during the examination period, so many calls were received on these two mobile numbers from No.91-9915105308. It is also in the report that tower location shows that these mobile numbers were used so many times during the examination period.

Learned counsel for the petitioners argued that mobiles were kept outside the room. The defence of the petitioners would be seen by the Court below when the petitioners will lead the evidence. At this stage, there is nothing on the record to show that mobile phones were not used by the present petitioners during the examination period.

After perusing the FIR as well as report under Section 173 Cr.P.C., I find that there is nothing at this stage to show that registration of the FIR against the present petitioners, is abuse of process of law or amounts to miscarriage of justice. No ground is made out, at this stage, for quashing the FIR and all the subsequent proceedings.

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

October 24, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No