

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30589 of 2015 (O&M)

.....

Date of decision:25.4.2016

Sunil Kumari

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sandeep Parkash Chahar, Advocate for the petitioner.

Mr. D.R. Singla, Deputy Advocate General, Haryana for
the respondent-State.

Mr. Pawan Girdhar, Advocate for respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.499 dated 15.10.2013 (Annexure-P.1) registered for the offences under Sections 420, 467, 468, 471, 200 and 465 IPC at Police Station City Bahadurgarh, District Jhajjar and all subsequent proceedings arising out of the same.

Learned counsel for the petitioner argued that the allegation against the present petitioner is that she had applied for a plot in handicapped category and got the same and she second time again taken the plot under the reserved category.

On the other hand, learned counsel for the respondents argued that the FIR in the present case has been got registered on the directions of

this Court passed in Criminal Misc. No.M-26292 of 2013 titled as “Dharam Singh Yadav Vs. State of Haryana”. In compliance of the same, the HUDA authority had been directed to get registered the cases against those allottees, who had obtained allotment of more than one plot under the reserved category.

The main argument of the learned counsel for the petitioner is that two FIRs have been registered and this is regarding the first plot. At that time, there was no irregularity. After perusal of the record, I find that the challan has already been presented after the investigation against the present petitioner though the charges have not been framed yet.

From the perusal of the record, it cannot be held that no offence is made out at this stage. The FIRs have been registered as per the directions of this Court and the present petitioner has got allotted two plots by misrepresenting the department and by playing fraud etc. and the FIR has been got registered when this fraud came to light.

The learned State counsel has argued that big fraud has been played by the allottees and so many plots have been got allotted by so many influential persons etc. At this stage, after perusing the record, I do not find that the registration of the FIR against the petitioner amounts to abuse of the process of the law or amounts to miscarriage of justice.

Therefore, finding no ground for quashing the FIR in this petition, the same is dismissed.

April 25, 2016.

(Inderjit Singh)
Judge

hsp