

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

CRM-M-31100-2014 (O & M)
Date of decision: 21.11.2016

Daya Nand

.... Petitioner

V/s

State of Haryana and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. C.P. Tiwana, Advocate, for the petitioner

Mr. Sushil Gautam, DAG, Haryana.

Rajan Gupta, J. (Oral)

This petition has been filed under Section 482 Cr.P.C., seeking quashing of FIR No.19 dated 17.01.2014 registered under Sections 420, 406, 506, 120-B IPC at Police Station Badshahpur, Gurgaon, and all subsequent proceedings thereto qua the petitioner.

Learned counsel for the petitioner has mainly argued that the name of the petitioner does not figure in the FIR. There is, thus, no question of his being involved in the transaction.

Learned counsel for the State on instructions from SI Suresh Kumar, states that there were deposits in the account of petitioner as well. He is, thus, equally involved in the crime.

Heard learned counsel for the parties.

An FIR was lodged against Dr. Rakesh Singh and his accomplice. It was alleged that total amount of ₹ 38,20,000/- was paid by cheque/RTGS to Dr. Rakesh Singh and co-accused for admission of relative of the complainant in a reputed college in Mumbai. However, neither

admission was given nor money was refunded. Resultantly, instant FIR was lodged and investigation ensued. Trial is in progress.

According to the State counsel, out of 12 witnesses cited by the prosecution, 05 have already been examined.

I find no ground to interfere in inherent jurisdiction of this court as the plea raised before this court can be decided after the evidence is led before the trial court. Petition is without any merit and is hereby dismissed.

November 21, 2016
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No