

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-38671 of 2015 (O&M)
Date of decision: March 18, 2016

Amitoj Singh ...Petitioner

Versus

State of U.T. Chandigarh ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.K. Jindal, Advocate and
Mr. Amandeep Rana, Advocate for the petitioners.
Mr. Gautam Dutt, Advocate for respondent U.T. Chandigarh.

Rajan Gupta, J.

This order shall dispose of two Crl. Misc. Petitions i.e. CRM-M-38671 of 2015 and CRM-M-28285 of 2015, filed by accused Amitoj Singh and Rattan Chand respectively, under section 482 Cr.P.C. seeking quashing of FIR No.214 dated 18.6.2015, registered against them under sections 195-A and 506 IPC at Police Station Sector 36, Chandigarh.

Learned counsel for the petitioners contended that Reader was not competent to lodge the FIR in question. No offence under section 195-A IPC is made out. There is nothing on record to connect the petitioners with the crime. Thus, FIR needs to be quashed.

Prayer was vehemently opposed by the State counsel.

Earlier an FIR was registered on the complaint of Kavita C. Das, Principal of St. John's School, Chandigarh, alleging that certain boys

were threatening school children on facebook and mobile phones. The children were shown firearms and were threatened with dire consequences. These boys were visiting the houses of the children and inciting them to steal liquor from their home. The students of the school were told that their reputation would be spoiled by saying that they had sexually exploited them. On this basis, FIR No.29 dated 16.01.2015 was registered. During pendency of trial, pursuant to said FIR, one Mukul deposed as PW-4. After his deposition, as he left the court, he was threatened by petitioner Rattan Chand and filthy abuses were also hurled. On direction of the Addl. Chief Judicial Magistrate, instant complaint was lodged by the Reader of the Court. Petitioner has sought quashing of same. I, however, find no merit in the plea. It cannot be said at this stage that offences under section 195-A IPC is not made out and no evidence is available against the petitioner. Nor there is any substance in the argument that the Reader of the court was not competent to lodge the complaint. It appears, Reader acted on the basis of direction given by the Addl. Chief Judicial Magistrate.

In view of seriousness of allegations, no case for quashing of FIR is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

March 18, 2016
'Rajpal'