

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

CRM-M-9787-2016

Date of decision: April 12, 2016

Harinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K Girdhar, Advocate for the petitioner.

Rajan Gupta, J.(oral)

This is a petition under section 482 Cr.P.C. seeking quashing of FIR No.15 dated 13.03.2015, registered against the petitioner under sections 409, 420, 465, 467, 468 IPC at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present FIR, as before registration of FIR, an enquiry was conducted wherein it revealed that GPF amount had already been recovered alongwith interest and deposited in the Treasury. Petitioner is not responsible for the alleged misappropriation. FIR against him is abuse of process of law. Thus, same deserves to be quashed.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

A complaint was submitted by Director of Public Instructions, Secondary Education, Punjab to Senior Superintendent of

Police, Fazilka regarding misappropriation of General Provident Fund in Government Senior Secondary School, Nukerian. Enquiry of the complaint was handed over to Deputy Superintendent of Police, Jalalabad. In his enquiry report, petitioner was held responsible for said misappropriation and thereafter, FIR was lodged against him. I am of the considered view that all the pleas of the petitioner can be considered only after evidence is led before the trial court. It is not possible for this court at this stage to arrive at a conclusion that offences as alleged in the FIR, are not made out. It is also not possible for this court to conclude at this stage that the petitioner has been falsely implicated in the case. No case for interference in inherent jurisdiction of this court is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

April 12, 2016
'Rajpal'