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HIGH COURT OF CHHATTISGARH, BILASPUR**Cr. M. P. No. 194 of 2017**

Parvinder Singh S/o Chandan Singh, aged about 42 years, R/o Village Jewara (N), Thana Navagarh, District Bemetara, Chhattisgarh

---- **Petitioner****Versus**

1. State of Chhattisgarh through Police Station Incharge Nawagarh , District Bemetara, Chhattisgarh.
2. Krishna Devi W/o Sukhvir Singh, aged about 49 Years, R/o Village Jewara Nawagarh, District Bemetara, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Arvind Dubey, Advocate
For Respondent no. 1/State	:	Smt. M. Asha, Panel Lawyer
For Respondent no. 2	:	Shri Vikash Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10.02.2017**

The present petition under Section 482 CrPC has been filed seeking for quashment of the charge sheet filed by the Police Authorities for the offence under Section 506/34 of IPC in Crime No.228/2016 registered at Police Station Navagarh, District Bemetara (CG).

2. A perusal of the documents enclosed with the petition clearly stipulates that there has been a serious complaint lodged by the complainant-respondent no.2 in respect of the assault made by the petitioner. In addition to the complaint, the complainant was also subjected to medical examination where also prima facie the injuries caused by the petitioner stood established.

3. So far as the scope of interference in a petition under Section 482 CrPC for quashment of charge-sheet is concerned, the law in this regard is by now well settled. The Supreme Court in (2014) 10 SCC 616 (N. Soundaram Vs. P. K. Pounraj and Another) in paragraph 13 has categorically held that:

“13. It is well settled by this Court in a catena of cases that the power under Section 482 CrPC has to be exercised sparingly and cautiously to prevent the abuse of process of any Court and to secure the ends of justice. The inherent power should not be exercised to stifle a legitimate prosecution. The High Court should refrain from giving a prima facie decision unless there are compelling circumstances to do so. Taking all allegations and the complaint as they were, without adding or subtracting anything, if no offence was made out, only then the High Court would be justified in quashing the proceedings in the exercise of its power under Section 482 CrPC. An investigation should not be shut out at the threshold if the allegations have some substance.”

4. From the documents enclosed with the petition it is reflected that prima facie the ingredients for initiation of criminal prosecution against the petitioner in the instant case are available and the petitioner has also not been able to show any prima facie strong reason to disbelieve the version of the complainant at this preliminary stage.

5. For the aforesaid reasons, the present Cr.M.P. being devoid of merits, deserves to be and is accordingly dismissed.

Sd/-
P. Sam Koshy
Judge