

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

CRM-M-2035-2017

Date of decision-23.01.2017

Baljeet Singh @ Bitta and others

...Petitioners

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ajay Sharma, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

By filing this petition under Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C') petitioners seeks quashing of FIR No.59 dated 22.03.2015 registered under Sections 148, 323 and 506 read with Section 149 of Indian Penal Code and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short 'the Act') at Police Station Pinjore, Tehsil Kalka, District Panchkula and for setting aside the other consequential proceedings arising therefrom against the petitioners.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case and only false and frivolous FIR has been lodged only to harass the petitioners. He further states that it is not mentioned in the complaint/FIR that the petitioners knew that the complainant belongs to a scheduled caste.

The allegations against the petitioners are that in connivance with the complainant they constructed wall between their house and that of

the complainant. After intervention of the complainant, the petitioners started abusing him and his family members and attacked with sticks, base ball bat, bricks and hammer and injured the complainant and his family members. It is further alleged that the petitioners had also tried to outrage the modesty of females of complainant's family.

I have heard the learned counsel for the petitioners and perused the case file.

A bare perusal of FIR reveals that the petitioners have been named in the FIR and allegations against them are serious in nature. Further, specific allegations are levelled against the petitioners. Keeping in view the alleged participation and seriousness of offence, no case for quashing of FIR No.59 dated 22.03.2015 registered under Sections 148, 323 and 506 read with Section 149 of Indian Penal Code and Section 3 of the Act is made out.

Consequently, the petition stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

January 23, 2017

vanita

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No