

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

CRM No.M-25902 of 2011 (O&M)
Date of Decision: February 23, 2017

Raj Bala Parwana

...Petitioner

VERSUS

Pardeep Singla

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harsh Aggarwal, Advocate
for the petitioner.

None for the respondent.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of complaint No.8 dated 21.02.2011 filed by the respondent under Section 500, 189, 120-B, 506 and 34 IPC, summoning order dated 03.05.2011 along with subsequent proceedings emanating therein.

Notice of motion was issued. Earlier, learned counsel for the respondent appeared but later on and today, none appeared on behalf of the respondent.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that in the complaint case, after summoning of the accused, notice of accusation has already been served

against the present petitioner and the case is fixed for evidence, which

means that the trial Court has already taken the cognizance.

From the record, I find that Pardeep Singla complainant filed a complaint against Sham Lal Goel, Raj Bala Parwana and Bhola Sharma, Press Reporters of Rozana Ajit Newspaper under Sections 500, 189, 120-B, 506 and 34 IPC. The main allegations as per the complaint, against accused No.1 Sham Lal Goel and accused No.2 Raj Bal Parwana, present petitioner are that they connived with each other and for lowering the reputation and honour of the complainant, accused No.2 Raj Bala Parwana hurled shoe towards the complainant before and after the meeting of Municipal Council Jaitu on 09.02.2011, in the presence of Amar Kumar, Municipal Councillor and said that complainant has become Vice President of the Municipal Council by paying money whereas, he was to be elected as Vice President. Apart from this, Raj Bala Parwana used bad words against the respect and reputation of the complainant resulting which, the honour and reputation of the complainant suffered a great set back in the eyes of the people. Accused No.2 Raj Bala Parwana had done the propaganda in the city, in the people and before the respectable Amit Kumar Sheenu, Kiranjit Singh against the complainant that complainant is a fraud person and complainant has paid money to the President of the party to become Vice President of Municipal Council. It is also in the complaint that accused No.2 Raj Bala Parwana along with other co-accused after hatching a conspiracy with each other, published false news by levelling false allegations to lower the reputation of complainant through Press Reporter Bhola Sharma. The allegations were levelled in the newspaper report that complainant had paid money to the President of the BJP to become Vice President of Municipal Council.

Keeping in view the allegations, I find that in no way, it can be

held that the filing of the complaint is nothing but abuse of process of law or amounts to miscarriage of justice. The findings of fact are to be given by the trial Court on the basis of the evidence. At this stage, this Court is to see whether filing of this complaint is abuse of process of law or no offence is made out. The perusal of the record shows that in no way, it can be held that no offence is made out from the averments of the complaint. Furthermore, the trial Court has already taken the cognizance as notice of accusation has already been served upon the present petitioner and the case is fixed for evidence.

In view of the above discussion, I do not find any ground to quash the complaint and subsequent proceedings. Therefore, finding no merit in the present petition, the same is dismissed.

However, nothing stated above, shall constitute my opinion on the merits of the case and the above findings have been given for deciding the present petition only.

February 23, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No