

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision-27.01.2017

1. CRM-M-36642-2015

Manish Hora

...Petitioner

Vs.

State of Haryana and others

...Respondents

2. CRM-M-7345-2016

Ashok Singla

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Varun Katyal, Advocate for the petitioner(s)
in CRM-M-36642-2015.

Mr. Puneet Jindal, Senior Advocate with
Mr. Varun Goyal, Advocate for the petitioner(s)
in CRM-7345-2016.

Mr. Saurabh Mohunta, DAG, Haryana assisted by
SI Amarjit Singh.

Mr. Amandeep Chhabra, Advocate for
Mr. Navjot Singh, Advocate
for respondent Nos.2 and 3.

JITENDRA CHAUHAN, J. (Oral)

This judgment shall dispose of aforementioned two petitions filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.203 dated 03.10.2015 registered under Sections 406 and 420 of Indian Penal Code at Sector-14, Panchkula and its subsequent proceedings on the basis of compromise deed dated 12.10.2015 (Annexure P-2)

Learned counsel contends that State of Haryana has no jurisdiction to register the FIR in the matter as the property in question is

located in the State of Punjab and all transactions had taken place in the State of Punjab. He further contends that the only allegation against the petitioner is that he raised nine floors instead of sanctioned eight floors. The offence being compoundable, compounding fee was deposited. Upon making the deposit, the competent authority has sanctioned raising of the ninth floor.

On the other hand, learned State counsel submits that the State of Haryana has full jurisdiction to register the FIR as the entire payment was made in the State of Haryana i.e. Sector -17, Panchkula.

I have learned counsel for the parties and have gone through the case file.

As the sanction initially accorded was for raising/building up to the level of eighth floor, subsequently sanction was allowed and further load was added on the building. Whether the addition of a one floor to the structure, of which the foundations had been laid to raise up to eight floors, would require change in the basic plan or not is the subject matter to be dealt by the experts.

Thus, this Court feels that no case for quashing of the FIRs on this ground is made out.

Consequently, both petitions are dismissed.

January 27, 2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No