

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

**Criminal Misc. No.M-43533 of 2016 (O&M)
Date of Decision: May 25, 2017**

Ramesh

.....PETITIONER(s).

VERSUS

State of Haryana and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Lathar, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

This is petition under Section 482 Code of Criminal Procedure seeking quashing of FIR No.0496 dated 24.06.2016 registered for the offences punishable under Sections 148, 149, 307, 323 read with Section 34 of Indian Penal Code and 25 of Arms Act at Police Station Jind City, District Jind on the statement of Karam Pal Dhull, copy of which has been produced on file as Annexure P-1.

2. As per allegations in FIR, on 23.06.2016 at about 09.30 p.m. complainant was taking rest and listening news a room on ground floor of his house, when petitioner-Ramesh alongwith three other persons gave knock. He opened the door and all the four entered his house. They started discussing the sale of 80 square yards plot purchased by petitioner-Ramesh and pressed for execution of the agreement of this plot. Complainant told them to get the sale deed of plot executed and complete the transaction at

which a tall boy accompanying Ramesh proclaimed that complainant will not agree and he should be kidnapped. They tried to push complainant in their vehicle. In the meanwhile, a boy wearing black clothes asked to shoot complainant, who got himself relieved and took out his licensed pistol, which he had kept in almirah. Ramesh snatched the pistol and fired at the complainant which hit little finger of his left hand. Hearing noise of fire, wife of complainant, his son Anshu, daughter Priya, his mother-in-law and employees of service station came to the spot. On witnessing them accused ran away.

3. Learned counsel for the petitioner has argued that present FIR was registered at 8.50 PM and before this FIR, petitioner had got recorded FIR No.493 on the same date at same police station regarding the incident that took place in the office of Karam Pal Dhull, where he had gone to receive the amount, which was due against Karam Pal. A quarrel took place there and he was caused fire-arm injury on his left arm by Karam Pal, his son Anshu and other accused named in the FIR. Present FIR was got registered as a counter blast.

4. In this FIR, specific allegations have been levelled against the petitioner that he after snatching the licensed pistol of complainant Karam Pal fired a shot which hit against the finger of left arm of complainant. From the allegations in the FIR, a prima facie case is made out for further investigation. When two parties are coming up with two different versions, police is required to investigate the same and then to reach some conclusion.

5. Keeping in view the specific allegations levelled against the petitioner, I find no reason which call for exercise of extra ordinary power

of this Court to quash the FIR in question.

6. This petition has no merits.

Dismissed.

May 25, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***