

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

**CRM-M-9013-2017
Date of decision-16.03.2017**

Nar Singh

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K.Verma, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Criminal Procedure Code has been filed for quashing of the complaint No.433/7.06.2011/07.08.2011 (annexure P-1) registered under Sections 3, 4 and 5 of Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, 1989 (in short 'the Act') and the summoning order dated 10.01.2017 (Annexure P-7) passed by learned Chief Judicial Magistrate, Rohtak, whereby petitioner has been summoned under Section 3 of the Act.

Learned counsel for the petitioner contends that the complaint against the petitioner has been made at the behest of one Surat Singh who has personal grudge against the petitioner. As the petitioner being a Superintendent at D.E.E.O Rohtak, had initiated action against Surat Singh who had allegedly embezzled funds pertaining to students of weaker sections. Learned counsel refers to Enquiry Report dated 09.03.2011, Annexure P-12 to contend that during the investigation no incriminating documents could be collected against the petitioner.

I have heard learned counsel for the petitioner and have gone

through the case file.

After a detailed hearing, learned summoning Court has observed that prima facie case for summoning against the petitioner is made out. The complainant is neither relative of the said Surat Singh nor learned counsel for the petitioner has been able to substantiate his argument that a complaint in question has been filed at the behest of said Surat Singh. From the perusal and appreciation of documents i.e. Annexures P-2 to P-6, it emerges that the view taken by the learned summoning Court does not suffer from any illegality or perversity. Rather the learned counsel for the petitioner has failed to refer to any evidence or circumstances which has not been considered and appreciated in its right perspective.

In the circumstances, no case for any interference is made out.

Accordingly, the present petition is dismissed.

(JITENDRA CHAUHAN)
JUDGE

March 16, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No