

CRR-5031-2015

[1]

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

(Sr.No.237)

CRR-5031-2015

Date of Decision:-May 05, 2017

Gurcharan Singh

.....Petitioner

V/S

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Davinder Lubana, Advocate,
for the petitioner.

Ms. Ritu Punj, Addl. A.G. Punjab.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

It is clear from the record and admittedly the petitioner has signed the cheque as one of the signatory of the cooperative society's bank account. The petitioner along with other Jaspal Singh who is the secretary of the said society flew away with the huge amount of ₹35 lacs. The amount has never come back as stated by learned counsel for the State on instructions from Sub Inspector Parmjit Singh. In my opinion, the petitioner cannot run away from the prima facie case against him that he had signed the cheque knowingly, consciously and with full understanding and since the public money has been lost.

Learned counsel for the petitioner states that the recovery of money has been made. If that is so, the petitioner is entitled to put up the said fact before the trial Court in the trial. However, the prayer for quashing

the order passed by Judicial Magistrate 1st Class, Ropar under Section 319 Cr.P.C. calling the petitioner as an additional accused in the Court, cannot be acceded to. In that view of the matter, the petition is rejected. Interim order stands vacated.

Trial be expedited.

May 05, 2017

pankaj

(A.B. CHAUDHARI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No