

Sr. No.120

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-9465 of 2017 (O&M)

Date of Decision:21.03.2017

Amarjot Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Varun Kumar, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant petition has been filed under Section 482 Cr.P.C. read with Article 226 of the Constitution of India seeking quashing of FIR No.64 dated 21.05.2015, under Sections 406, 420 and 120-B of IPC as also for quashing of a complaint under Section 138 of the Negotiable Instruments Act filed by respondent No.2.

Counsel would press for the twin relief sought in the instant petition on the basis that the complainant/respondent No.2 at whose instance the FIR has been registered and who has also initiated proceedings under the Negotiable Instruments Act is making different statements in both the proceedings.

Counsel for the petitioner has been heard at length and the pleadings on record have been perused.

The sole contention and submission raised by counsel and which has been afore-noticed cannot be made the basis for entertaining the prayer for quashing of the FIR as also the complaint under Section 138 of

the Negotiable Instruments Act.

As such while declining to interfere in the present petition, it is observed that it would always be open for the petitioner to raise a defence in the FIR as also under the proceedings under Negotiable Instruments Act as may be available in accordance with law and on the strength of the alleged discrepancies in the statements suffered by the complainant in these two proceedings.

Disposed of.

21.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No