

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

CRM-M No.12078 of 2018
Date of decision: 22.03.2018

Vinod Kumar and others

...Petitioners

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Bhupinder Ghai, Advocate
for the petitioners.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.0067 dated 23.02.2018 for offence punishable under Sections 406, 420, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station Butana, District Karnal and all subsequent proceedings arising therefrom.

FIR was lodged against the petitioner by observing as under:-

“That the department had supplied 40322-80 Qntl to the accused after purchasing the same from the mandis starting from October till the end of season. Inspector of the department had received a certificate regarding the quality and quantity of the paddy from the miller through accused No.2 and 3 and accused had never objected the same during season 2013/2014 and had received the paddy after presuming the same to be correct and accused No.1 and 2 had returned rice 1617 Qntls to the department and rice 25399.28 Qntls was due against the accused No.1 to 4. That notices were given to all the accused by the department. But the accused had not returned the rice to the department and it was found by the department through their personal inquiry that accused in connivance had disbursed the rice i.e. 25399.28/- Qtl. of the government after selling the same.”

Learned counsel for the petitioner has submitted that earlier physical verification was conducted vide Annexure P-3 but that has not been considered.

To the mind of this court, this is no ground. FIR has registered only one month earlier. No ground is made out to quash the petition. As such petition stands dismissed. However, Investigating Agency shall consider Annexure P-3.

March 22, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no