

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CrI. Misc. No. M-12546 of 2018
Date of Decision: March 26, 2018

Anand Kumar Rampal

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Kanishk Lakhanpal, Advocate
for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner seeks quashing of FIR No. 485 dated 04.12.2016 registered at Police Station Sector 5, Panchkula under Sections 120-B, 406, 420 IPC.

The allegations in the FIR are that the petitioner and his co-accused duped the complainant of a sum of Rs. 26.00 lacs on the pretext of constructing flats. Neither the flats were constructed nor the money was returned, instead the land was sold to some other builder.

Learned counsel for the petitioner contends that the present FIR is a counter blast to a criminal complaint filed by the petitioner under Section 156(3) Cr.P.C. against the complainant as the complainant had duped him of a sum of Rs. 1.6 crores. Pursuant to the said complaint, an FIR has been registered now. It is further submitted that there is no proof of payment of money by the complainant. An enquiry was conducted by the police and the petitioner was found innocent.

I am afraid that none of the aforementioned submissions can be taken note of for quashing of the FIR. At best, these defences can be resorted to by the petitioner at the time of trial of the case.

At this stage, learned counsel for the petitioner prays that directions may be issued to the police to complete the investigation at an early date.

The petition is disposed of with direction to respondent No. 3 to conclude the investigation in the aforementioned FIR within a period of six months from the date of receipt of certified copy of this order.

March 26, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No