

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

247/2

CRM-M-14423-2017

Date of Decision: July 05, 2018

Rachhpal Singh

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. HPS Sandhu, Advocate
for the petitioner.

Mr. Randeep Singh Bains, DAG, Punjab.

Mr. Ishan Gupta, Advocate
for applicant/respondent No.2

Sudhir Mittal, J. (Oral)

Petitioner-Rachhpal Singh has filed this petition under section 482 of the Code of Criminal Procedure, 1973, for quashing of complaint/Kalendra No. 205 dated 21.12.2015 titled as “**State Vs. Gurmel Singh and others**” and summoning order dated 21.12.2015 (Annexure P-5).

Learned counsel for the petitioner submits that the petitioner never made any allegation against the complainant and therefore, his prosecution under section 182 I.P.C. is an abuse of the process of law.

Learned counsel for respondent No.2 has relied upon statement dated 15.04.2015, to submit that the allegations made by the petitioner, are contained in the said statement.

Having gone through the statement aforementioned, I do not find that the same contained any allegation against respondent No.2 and thus, the summoning order dated 21.12.2015 (Annexure P-5) passed against the petitioner by J.M.I.C., Malerkotla, is an abuse of the process of law.

Accordingly, the petition is allowed and complaint/Kalendra No. 205 dated 21.12.2015 titled as “**State Vs. Gurmel Singh and others**” alongwith summoning order dated 21.12.2015 (Annexure P-5) passed by JMIC, Malerkotla, is quashed qua the petitioner.

July 05, 2018

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[SUDHIR MITTAL]

JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No