

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-20620-2016

Date of decision : 20 .02.2018

Ram Parshad Pandey @ Ram Parshad and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Gourave Bhayyia Gilhotra, Advocate
for the petitioners.

Mr.J.S. Walia, Sr.DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioners submits that petitioners no.4 & 5 being tenants in the house owned by the father of the complainant-respondent no.2, have been falsely implicated in the FIR, only to put pressure on them to vacate the premises, with petitioners no.1, 2 & 3 not even residing at Ludhiana but in their village in Uttar Pradesh.

A perusal of the FIR shows that other than stating that the petitioners have told the complainant that they have occupied the entire house and would not vacate it, an allegation has also been made that the petitioners have stolen some articles from the kitchen and drawing room of the house, which are stated to have been rooms locked by the complainant.

Though prima-facie the contention of the petitioners does not appear to be incorrect to this Court, that it is essentially a landlord-tenant dispute which has been given the colour of criminal proceedings, however

specific allegations having been made with regard to goods having been stolen from locked rooms which were allegedly in possession of the landlord/his son, no further comment at all is made by this Court in the matter, the report under Section 173 Cr.P.C. already having been presented to the competent Court and even charges stated to have been framed against the petitioners.

Consequently, whether or not the petitioners are guilty of any offence at all or a wholly false FIR has been got registered against them, would be a matter to be seen by the trial Court on the basis of evidence led before it. This petition is therefore dismissed with the aforesaid observations.

(AMOL RATTAN SINGH)
JUDGE

February 20, 2018.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No