

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-7276-2018

Date of Decision: February 21, 2018

Buta Singh

.....Petitioner(s)

versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Gurnam Singh, Advocate
for the petitioner.

Sudhir Mittal, J. (Oral)

This petition under Section 482 Cr.P.C has been filed for quashing of the criminal complaint No. 142 dated 17.12.2015 (Annexure P-4) and summoning order dated 06.06.2017 (Annexure P-6).

2. It is the contention of learned counsel for the petitioner that the complaint is a counter blast to FIR No.14 dated 08.2.2012, under Sections 323/324/149-506 IPC, which was registered at P.S. Sahnewal, Ludhiana by the petitioner.

3. The complainant and his sons are accused in the said FIR and they are facing the trial. It is further contended that after three years, the present complaint has been filed just to pressurize the petitioner.

4. I am afraid that the above arguments cannot be accepted for quashing of the complaint (Annexure P-4) and summoning order (Annexure

P-6). Quashing of criminal complaint or any FIR can only be done if on perusal of the contents of the same, no offence is made out or if the same amount to patent abuse and misuse of the process of criminal law. In the circumstances of the present case, neither of the aforementioned conditions has been fulfilled and therefore, exercise of power vested in this Court under Section 482 Cr.P.C. is not warranted .

5. Accordingly, the present petition is dismissed.

6. However, observations in this order shall not prejudice the petitioner while leading his defence before the learned trial Court.

February 21, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No