

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-9783 of 2017
Date of Decision: March 08, 2018

Deepak

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner

Sudhir Mittal, J. (Oral)

The present petition has been filed for quashing of the FIR No. 270 dated 31.05.2013 registered under Sections 117, 147, 152, 186, 283, 341, 504 IPC at Police Station Samalkha.

It is the contention of learned counsel for the petitioner that on the said date the petitioner was appearing for physical test in New Delhi as borne out from his admit card, a copy of which is annexed as Annexure P-3. He also relies on document Annexure P-4 which is letter dated 10.11.2015 received from the office of Deputy Inspector General (Administration), Public Information Officer, Eastern Frontier, ITB Police Force, which certifies that infact the petitioner had appeared for the physical test on 31.05.2013. It is further submitted that the person who has been challaned is Deepak son of Satbir son of Duliya whereas petitioner is Deepak son of Satbir son of Khayali Ram.

I am afraid, I can not accept the aforementioned arguments.

A perusal of Annexure P-3 shows that the time of presence of the petitioner for physical test is 0600 hours whereas time of the incident is 5.30 p.m., therefore, it was possible that after appearing for the physical test, the petitioner could have come back to his village. So far as the wrong identity is concerned, in case the person named in the challan is somebody else, the petitioner has nothing to

In view of the above, there is no ground to quash the FIR. The petition is, accordingly, dismissed.

March 08, 2018
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[SUDHIR MITTAL]
JUDGE

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