

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.107

**CRR-1309-2018 (O&M)
Date of decision : 16.04.2018**

Bimla Rani and others

..... Petitioners

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Rajvinder Kaur, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners seek quashing of order dated 14.03.2018, whereby the learned Sessions Judge, Ambala, has ordered preparation of chargesheet against them.

Learned counsel for the petitioners submits that offence under Section 379-B IPC as well as under Sections 148 and 149 IPC are not made out and therefore, the learned trial Court was in error in directing framing of chargesheet under the said provisions of law.

As per the allegations made in the FIR, members of the Electricity Department alongwith police officials went for checking the house of one Bodhraj in Shiv Puri Colony, Mahesh Nagar, Ambala Cantt. An unauthorized electricity connected was found and the team started making video recording. The occupants of the house attacked the members of the team as well as the police persons and instruments etc. were snatched. Learned counsel for the petitioner has also drawn my attention to the final report under Section 173 (2) Cr.P.C. dated 07.10.2017, wherein recovery of electrical instruments has been specifically recorded.

In view of the above, it cannot be stated that prima facie offence under Section 379-B IPC is not made out. Further, the accused are six in number and thus, the offence under Sections 148 and 149 IPC is also prima facie made out.

In view of the above, there is no merit in this petition and the same is dismissed.

(SUDHIR MITTAL)
JUDGE

16.04.2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No