

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

Crl. Misc. No.M-1566 of 2019

Date of Decision:- 16.01.2019

Baljeet Singh

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Arvinder Singh Khosa, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved because despite representation dated 2.1.2019 (Annexure P-2), the police has not registered an FIR against respondents No.4 to 7.

Allegedly, the petitioner was a candidate for the post of Sarpanch in the elections held on 30.12.2018. The said post is allegedly reserved for scheduled caste candidate. Respondent No.4 also contested for the same post and was elected. The contention of learned counsel for the petitioner is that respondent No.4 is not a scheduled caste candidate and the certificate submitted by him in this regard has been forged.

Admittedly, the petitioner has challenged the election of respondent No.4 on the ground of furnishing a false caste certificate. Thus, in case, the certificate is actually found to be false and fabricated, the election of respondent No.4 would be set aside and the Election Tribunal would pass appropriate directions. Thus, there is no occasion to direct the police to register an FIR.

The petition is misconceived and is accordingly dismissed.

January 16, 2019

poonam

(SUDHIR MITTAL)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No