

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

Sr. No.249

CRM-M-29620 of 2014

DECIDED ON: January 16, 2019

BALINDER

..PETITIONER

VERSUS

AJIT SINGH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.M. Sharma, Advocate for the petitioner.

None for the respondent.

SUDHIR MITTAL, J. (ORAL)

The petitioner prays for quashing of complaint No.807, dated 27.05.2009, titled as Ajit Singh vs. Balinder, under Sections 406, 420 r/w Section 506 IPC (P-2) as well as summoning order dated 09.11.2011 (P-3).

A perusal of the complaint shows that a vehicle belonging to the complainant-respondent had been deployed by him in the service of a Wep Pheripils Company situated at Baddi, Himachal Pradesh and the petitioner had been appointed the Driver of the said vehicle. There is a dispute regarding payments between the petitioner and the complainant-respondent and resolution of such a dispute does not involve invoking of the criminal jurisdiction of the Courts. Thus, the filing of the complaint and issuance of summoning order is an abuse of the process of criminal law. The complainant-respondent would however be entitled to get his grievance redressed through the Civil Courts.

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The petition is accordingly allowed and complaint No.807, dated 27.05.2009, titled as Ajit Singh vs. Balinder, under Sections 406, 420 r/w Section 506 IPC (P-2) as well as summoning order dated 09.11.2011 (P-3) passed by the learned JMIC, Chandigarh, are quashed.

January 16, 2019

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No