

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-33335 of 2018
Date of Decision: November 06, 2019.

Harish Kumar

.....Petitioner

versus

Bhim Singh

.....Respondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.H.P.S.Ghuman, Advocate, for the petitioner.

Mr.Pawan Kumar Hooda, Advocate, for the respondent.

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Anil Kshetarpal, J. (Oral)

The petitioner prays for quashing of Criminal Complaint No.15 of 2017 dated 11.08.2017, filed under Sections 342, 406, 365, 420, 120-B IPC, as also the order of summoning dated 05.03.2018.

Heard learned counsel for the parties at a considerable length.

Learned counsel for the petitioner submits that in fact the present complaint is in response to the FIR No.599 dated 25.09.2015, registered under Sections 420, 467, 468, 120-B IPC at Police Station Samalkha, District Panipat. He further submits that the alleged incident of illegal detention, snatching of gold ring and case amounting to Rs.2760/- is of October, 2015, whereas the present complaint has been filed on 10.08.2017.

The scope of jurisdiction of this Court to interfere or quash criminal prosecution while exercising the power under Section 482 Cr.P.C. is very limited. The contentions raised by learned counsel for the petitioner are required to be appreciated after the parties have led their evidence. At

this stage, when only summoning order has been issued and disputed

questions of facts are involved, it would not be appropriate for this Court to exercise its jurisdiction under Section 482 Cr.P.C. to quash the aforesaid complaint. Hence, the petition is disposed of relegating the petitioner to the remedy available before the learned Magistrate where trial is pending.

November 06, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

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