

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41923-2018

Date of decision: 05.03.2019

Nirmala Devi

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikram Jeet Singh, Advocate
for the petitioner.

Mr. Arun Singh Yadav, AAG, Haryana.

Mr. Sagar Aggarwal, Advocate
for respondent No.6.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to the official respondents to register an FIR against private respondent No.6.

Reply by way of affidavit of Deputy Superintendent of Police, Kaithal filed in the Court today, is taken on record and as per this reply, the petitioner has not disclosed that she has already filed a complaint before the Lokayukta, Haryana, which is pending adjudication. It is further stated that the complaint dated 25.07.2018 (Annexure P-2) was received by the DSP, Kaithal and during the enquiry, it was found that even the departmental enquiry was conducted and on 30.10.2018, the Enquiry Officer submitted a report to Civil Surgeon, Kaithal. In this enquiry, it was found that the allegation of theft

levelled by petitioner Nirmala Devi are without any basis, as she has failed to submit any proof or evidence in this regard and she has admitted that on 09.02.2017, out of stolen record, two ARs have been traced in the office and regarding the theft of photocopy of TA bills, she could not produce the original record and in the absence of same, it cannot be held that the theft has been committed. It is finally opined by the Enquiry Officer that no record has been stolen and rather it indicates negligence and false accusation of the employee.

A perusal of the enquiry report do not demonstrate commission of any offence, which requires registration of the FIR against respondent no.6.

Accordingly, this petition is disposed of. Liberty is granted to the petitioner to avail her alternative remedy, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

05.03.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No