

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

**CRM-M-41675 of 2019(O&M)
Date of Decision: December 09, 2019**

Prem Chand

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Arpandeep Narula, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

By filing the present petition, the petitioner has impugned the order dated 18.11.2017 (Annexure P-3) passed by the learned Chief Judicial Magistrate, Sirsa, wherein, cognizance has not been taken of a calendra under Section 182 IPC on the ground that the calendra has been barred by limitation.

The accused Ashok Kumar, who was posted as Assistant Food Supply Officer had moved a complaint dated 20.11.2010 against the petitioner for having committed theft in the office. After investigation, a cancellation report dated 27.11.2010 was filed. Thereafter, the calendra under Section 182 IPC was moved by the Station House Officer, Police Station City Sirsa, which has been dismissed on the ground of limitation.

The learned Court has noted that the cancellation report was presented on 27.11.2010, whereas, the calendra was filed on 04.10.2014. As

the offence punishable under Section 182 IPC is punishable with

imprisonment for a term which may extend to six months, therefore, as per Section 468(2) of the CrPC, the limitation to file Calendra was only one year. The Calendra having been filed almost after four years, was definitely barred by limitation. There is no ground to interfere in the impugned order.

Thus, the petition is dismissed.

December 09, 2019

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No