

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CRM-M-58086-2022 (O&M)
Date of Decision:-07.11.2023

Birender Singh
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN
Present: Mr. Neeraj Gaur, Advocate for the petitioner.
Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

CRM-44499-2023

1. The present application filed under Section 482 of the Code of Criminal Procedure is for restoration of the main case which has been dismissed for non-prosecution on 28.08.2023.
2. For the reasons mentioned in the application, the same is allowed on the basis of the averments made in the petition as the same are supported by the affidavit of the counsel for the petitioner.
3. The main case (CRM-M-58086-2022) is taken on the Board today itself.

CRM-44500-2023

1. The present application has been filed under Section 482 Cr.P.C for placing on record the Kalandra dated 23.08.2021 and RTI information dated 27.09.2022 as Annexures P-1 & P-2.
2. Application is allowed as prayed for.
3. Annexure P-1 & Annexure P-2 are taken on record, subject to all just exceptions.

CRM-M-58086-2022

1. The present petition has been filed with the prayer for quashing of the criminal complaint No. COMI/176/2021 dated 09.10.2021 under Section 182 IPC, 1860 at Police Station Ateli, District Mahendergarh (Annexure P-1) as well as the impugned summoning order dated 23.05.2022 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Narnaul.
2. The issue involved in the complaint is that the neighbour of the petitioner installed a Polly house for which he sought subsidy as per the various policies of the Government. However, the petitioner raised a challenge to the same and had been trying to exert pressure on his neighbour by using the official machinery and had made various complaints.
3. Since, the matter was looked into by the authorities, the complaints filed by the petitioner were enquired and the Kalandra under Section 182 IPC was filed for the reasons mentioned therein.
4. I do not find any force in the arguments raised by learned counsel for the petitioner, that there are certain discrepancies in the Kalandra filed under Section 182 IPC, and more so, the information received by him under RTI cannot be a ground to quash the proceedings as the same could be partial information and the true picture will arise in the trial, however, the petitioner is at liberty to take appropriate defence as available to him under law.
5. In light of the above, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

November 07, 2023
Parul

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