

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

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**2023:PHHC:137684**

**CRM-M-53430-2023**

Date of decision: October 20<sup>th</sup>, 2023

Sitangshu Chatterjee

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Sandeep Singal, Advocate  
for the petitioner.

**MANJARI NEHRU KAUL, J.**

Petitioner is seeking quashing of FIR No.192 dated 07.07.2021 under Sections 186 and 353 of the Indian Penal Code, 1860 registered at Police Station Arya Nagar, District Rohtak, along with all consequential proceedings arising out of the same.

2. Learned counsel for the petitioner submits that offences under Sections 186 and 353 of the IPC are not even made out from a bare perusal of the allegations levelled in the FIR (Annexure P-1). It has been submitted that the petitioner did not in any manner obstruct the complainant in performing her official duties, or used any force to obstruct her. It has been further submitted that even as per the allegations levelled in the FIR, a heated argument took place between the petitioner and one Amit Mann with no mention of how the petitioner obstructed the complainant from discharging her duties.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. The powers of the Court under Section 482 Cr.P.C. to quash FIRs/complaints should be used sparingly and with restraint. On

perusal of the allegations levelled in the FIR in question (Annexure P-1), a *prima facie* case is made out against the petitioner. As per the complainant, while she was conducting proceedings as Labour Inspector, the petitioner who was appearing before her, was reprimanded for recording proceedings on his mobile phone and asked to silently participate in the inquiry. However, instead the petitioner, during the course of the proceedings, entered into a verbal confrontation with Amit Mann, who was a respondent, leading to a physical scuffle between them. When the complainant, being the Presiding Officer, tried to intervene, she was pushed aside. Furthermore, the trial Court has already framed charges against the petitioner and whatever is being urged before this Court qua the false implication of petitioner, should be addressed during trial. This Court cannot be expected to delve into the authenticity of the allegations levelled while exercising its powers under Section 482 Cr.P.C. as the same would be determined during trial.

5. This Court, therefore, does not deem it fit to quash the FIR in question. Accordingly, the instant petition stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**October 20<sup>th</sup>, 2023***Puneet***(MANJARI NEHRU KAUL)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No