

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

CRM M-26495 of 2011

Date of decision : 19.11.2015

Hardev Singh

....Petitioner

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rakesh Dhiman, Advocate for
Mr. Virender Soni, Advocate for the petitioner.

Mr. Ankur Jain, AAG Punjab.

RAJAN GUPTA J.

Petitioner has sought quashing of FIR No. 125 dated 02.04.2009 registered against him under sections 419, 420, 467, 468, 471, 506 & 120-B IPC at police station Civil Lines, Amritsar.

FIR was lodged by the complainant namely Ram Lubhai. She stated that she sold the property in question to the accused vide sale-deed dated 23.08.2002 for a sale consideration of ₹1,50,000/-. However, accused Charanjit Bhatia claimed that he had later purchased the said property from accused Kuldeep Singh and his wife Sarabjit Kaur. According to complainant, her son was living in Thailand for the last fifteen years. In his absence all the accused in connivance with each other and with intention to commit fraud had forged the documents to show the sale of property. On the basis of same, they also got the sale registered.

Plea taken before this court is that allegations leveled in the FIR are false and unbelievable. There has been a compromise

between some of the accused and the complainant. Thus, FIR deserves to be quashed.

I find no merit in this plea. In view of detailed allegations leveled by the complainant in the FIR, it cannot be said that there is no substance in the same. According to affidavit filed by Gurnam Singh, Assistant Commissioner of Police (North), Amritsar, after investigation all the accused except petitioner have been declared innocent. Challan was presented in the court against him on 06.11.2010. In the facts and circumstances of the case, I find no ground to interfere in inherent jurisdiction of this court. Instant petition has been pending in this court since the year 2011 and repeated adjournments have been sought. On the last date of hearing, it was directed that proceedings before the trial court would continue. When the case was taken up for hearing today, again request for adjournment was made on the ground that arguing counsel for the petitioner was not available. It appears that petitioner is intentionally trying to delay the matter. Petition is hereby dismissed, being devoid of merit.

November 19, 2015

Ajay

(RAJAN GUPTA)
JUDGE