

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

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CRM-M-35793-2015

Date of Decision: December 8, 2015.

PAVITTAR SINGH & ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & ORS

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Manpreet Singh,Advocate for
Mr.Harsharan Singh Bajwa,Advocate for the petitioners

Mr.A.S.Kler,DAG,Punjab

Mr.Rajbir Singh,Advocate for the respondent No.2

M.M.S.BEDI, J.(Oral)

The petitioners seek quashing of FIR No. 22 dated 14.04.2009 undr Sections 419, 420, 468, 471, 120 B IPC registered at Police Station Budhlada, District Mansa at the instance of Baljinder Singh respondent No.2 alleging that signatures of his father Mohinder Singh had been misused to grab his property by producing an imposter after the death of Mohinder Singh. The petitioner No.3 appeared as imposter of Mohinder Singh and got the sale deed executed with the help of forged and fabricated documents.

Parties now state that the matter has been compromised.

On asking of the Court, it has been informed that Mohinder Singh had two more sons Beant Singh and Dhanwant Singh, besides complainant Baljinder Singh. The illegal transaction and the fake sale deed has affected the rights of all the heirs of Mohinder Singh.

It has been informed that statements of Beant Singh and Dhanwant Singh had been recorded during the course of investigation. No details have been given regarding the title of the property which had been

transferred in a fraudulent and deceitful manner. It is not a case where FIR can be permitted to be quashed on the basis of compromise unless and until the property in dispute reverts back to the original owner or the heirs of Mohinder Singh. The compromise without impleading other sons of Mohinder Singh i.e. Beant Singh and Dhanwant Singh, who are affected parties, appears to be sham.

No ground is made out to quash the FIR. Dismissed.

However, the petitioners may avail fresh remedy after satisfying the Court regarding settlement of the legal rights in the property fraudulently transferred and with the satisfaction of all the heirs of Mohinder Singh.

December 8, 2015
TSG

(M.M.S.BEDI)
JUDGE