

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39493 of 2014

Date of decision: April 24, 2015

Lakhwinder Singh

.... Petitioner..

Versus

State of Punjab and another

.... Respondents..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. B.D. Sharma, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

Mr. Baldev Kapoor, Advocate,
for respondent No.2.

Jaspal Singh, J.

Mr. Lakhwinder Singh-petitioner has preferred instant petition under Section 482 of the Code of Criminal Procedure, seeking quashing of FIR No. 241, dated 19.07.2011, under Sections 420, 467, 468, 471, 506 and 120-B IPC read with Section 25 of the Arms Act, registered at Police Station Civil Lines, Amritsar (Annexure P-1) and charge sheet dated 19.09.2014 (Annexure P-2) as well as all subsequent proceedings arising thereto.

2. Learned counsel for petitioner has *inter alia* contended that there is no allegation in the FIR against petitioner. In fact, as per the contents of FIR, allegations are only against co-accused of petitioner namely Gulzar Singh, who had executed Power of Attorney in question

on June 03, 2011, who subsequently, cancelled the same. Allegation against petitioner is only that he appended his signatures as a witness on the cancellation deed of power of attorney, which is otherwise an admitted fact. But mere appending of signatures as a witness on any deed does not *ipso facto* mean that he is party to any forgery etc. He has only identified Gulzar Singh before the concerned authorities at the time of execution of cancellation deed of power of attorney.

3. Here, it would also be pertinent to mention that FIR, qua Gursahib Singh co-accused of petitioner, who is also similarly situated, has already been quashed vide order dated November 13, 2013, by way of acceptance of CRM-M No. 11034 of 2012 (O&M).

4. A perusal of FIR clearly reveals that allegation, if any, is only against Gulzar Singh and not against present petitioner.

5. Accordingly, continuation of criminal proceedings against petitioner would be nothing but an abuse of the process of law. Thus, petition is allowed whereby FIR No. 241, dated 19.07.2011, under Sections 420, 467, 468, 471, 506 and 120-B IPC read with Section 25 of the Arms Act, registered at Police Station Civil Lines, Amritsar (Annexure P-1) and charge sheet dated 19.09.2014 (Annexure P-2) as well as all subsequent proceedings arising thereto are quashed qua petitioner.

April 24, 2015
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(JASPAL SINGH)
JUDGE