

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4457-2015 (O & M)
Date of decision:02.12.2015

Balbir Singh and anr.

...Petitioner(s)

Versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Pardeep Sehrawat, Advocate,
for Mr. Sandeep Kotla, Advocate,
for the petitioner(s).

Mr. Gaurav Dhir, DAG, Haryana.

Rajan Gupta, J. (oral)

Petitioner has sought quashing of the FIR in question on the basis of compromise.

Complaint was lodged by Roshni Devi. She alleged that her share of the land had been grabbed by her brothers by impersonating her before the civil court and obtaining a decree in their favour. Civil Suit No.186 of 1991 for declaration was filed before the Civil Judge Sh. O.P. Verma. A statement was made on her behalf on 27.02.1991 that she had no objection if their share was given to the plaintiff. Complainant alleged that she never appeared before the court on 27.02.1991. Some other lady impersonated in her place and gave her thumb-impression. The suit was decreed on 20.03.1991 by Sub Judge, Hansi on the basis of this statement.

Learned State counsel has vehemently opposed the prayer for quashing of the FIR. Referring to the affidavit filed by Assistant Superintendent of Police, Hansi, he submits that there are serious

allegations of forgery and fabrication of record as a decree was obtained by way of impersonation. No case of quashing on the basis of compromise is made out.

I find substance in the plea of State counsel. Allegations in the FIR are serious. The matter can be decided only on the basis of evidence led before the trial court. There is no ground for quashing on the basis of compromise.

Petition is without any merit and is hereby dismissed.

02.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE