

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

CRM-M-14215-2016

Date of decision: April 29, 2016

Harbhajan Kaur

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.C. Arora, Advocate for the petitioner.

Rajan Gupta, J.

This is a petition under section 482 Cr.P.C. seeking quashing of FIR No.62 dated 11.05.2011, registered against the petitioner under sections 420, 465, 468 and 471 IPC at Police Station Gidderbaha, District Muktsar.

Learned counsel for the petitioner submits no offence, whatsoever, has been committed by the petitioner. He submits that petitioner never misused the concession of bail during trial and respondents No.2 and 3 are not fake persons. Thus, FIR deserves to be quashed.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears, FIR No.30 dated 2.4.2010 was registered against petitioner and others. In that case, Anil Kumar (respondent No.2 herein) furnished bail bonds on behalf of the petitioner before Judicial Magistrate 1st Class, Gidderbaha, in view of order dated 4.5.2010, passed by

Additional Sessions Judge, Muktsar and he was identified by Surinder Kumar Numberdar, respondent No.3, on the basis of revenue record. Said documents were inquired into by Tehsildar, Ludhiana (West) and on the basis of his report, the Deputy Commissioner, Ludhiana reported that the said documents were forged and fabricated. The Judicial Magistrate thereafter directed the police to register an FIR, on the basis of which present FIR No.62 dated 11.5.2011 was registered under sections 420, 465, 468, 471 IPC against the petitioner as well as co-accused Anil Kumar and Surinder Kumar. I am of the considered view that all the pleas of the petitioner can be considered only after evidence is led before the trial court. It is not possible for this court at this stage to arrive at a conclusion that offences as alleged in the FIR, are not made out. FIR was registered way back in the year 2011. Trial of the case must have made much headway by now. There is no ground to interfere at this stage in inherent jurisdiction of this court.

Dismissed.

(RAJAN GUPTA)
JUDGE

April 29, 2016
'Rajpal'