

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-25334 of 2008
Date of decision: April 06, 2016.

Kewal Kumar Gupta and others

... **Petitioners**

v.

State of Punjab and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Ms. Isha Goyal, Advocate for the petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab

Mr. Ajaivir Singh, Advocate for respondent No.2.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

It comes out that petitioners No.1 & 2 have already died and only petitioner No.3 is surviving. This petition is pending in this Court since the year 2008. On the last date, none was present for the petitioner, therefore, following order was passed:-

“The petitioner is given one more opportunity to address the arguments failing which the matter will be decided on merits.

Adjourned to 6.4.2016 for arguments.”

Despite the aforesaid order, Learned Counsel for the petitioner left the adjournment slip without obtaining the consent of the opposing counsel and the Senior Counsel himself has not come present to assist this Court, therefore, this Court, with the assistance of the junior counsel appearing for the petitioner and the opposite counsel, has gone through the file.

The petitioner seeking quashing of FIR No.68 dated 4.5.2008

registered under Sections 465, 467, 468, 471, 120-B IPC at Police Station City Gurdaspur, District Gurdaspur. Perusal of the FIR shows that the FIR was registered on the directions contained in the judgment and decree dated 29.4.2008 passed by learned Civil Judge (Senior Division), Gurdaspur regarding offence of forgery committed by defendants No.2 to 4, i.e., the present petitioners. In the said civil case, the findings have been recorded. Since the evidence regarding forgery is to be collected by the police, therefore, thorough investigation into the FIR is required.

Keeping in view the matter that the judicial findings are recorded and the FIR has been ordered to be registered on the basis of findings recorded by the civil court, there is no ground to quash the impugned FIR No.68 dated 4.5.2008, registered under Sections 465, 467, 468, 471, 120-B IPC, Police Station City Gurdaspur.

Hence, dismissed.

April 06, 2016.
kadyan

[Kuldip Singh]
Judge