

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

CRM-M-24633 of 2016 (O&M)

Date of decision: 23.07.2016

Harbans Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Lajpat Sharma, Advocate for
Mr. Parvesh Sachdeva, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of the impugned FIR No.24 dated 14.02.2013, registered under Sections 419, 420, 465, 467, 468, 470, 471 and 120-B of the Indian Penal Code (for short 'IPC'), at Police Station City Fazilka.

The learned counsel states that the petitioner has nothing to do with the alleged offences and he has been falsely implicated in the instant case. The co-accused, Jarnail Singh and Makhan Singh have already been convicted and sentenced, vide order dated 07.12.2015.

Heard.

In the present case, co-accused of the petitioner, namely Makhan Singh was arrested on 24.06.2013 and Jarnail Singh was arrested on 05.07.2013 and subsequently, they were convicted and sentenced to 03 years of imprisonment, vide judgment dated 07.12.2015. The petitioner instead of surrendering to the process of the Court has been evading his arrest. The petitioner was a lambardar at the time of incident and he, in connivance with the co-accused by forging the documents had executed the sale deed dated 19.08.2011, Ex.P1 by impersonation by bringing some lady to be Parvati. The original owner of the land, Parvati died in the year 1979, whereas the alleged forged sale deed was dated 19.08.2011. An enquiry into the matter was also conducted by DSP (D), Fazilka, on the basis of which the present FIR was ordered to be registered against the petitioner and his co-accused. Therefore, keeping in view the facts and circumstances of the case, no case for quashing the FIR is made out at this stage.

Dismissed.

23.07.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE