

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

CRM-M-27088-2014 (O&M)
Date of decision: May 25, 2016

Jaspal Singh Dhunna ...Petitioner

Versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Jaswinder Singh, Advocate for
Mr. Sukhjit Singh, Advocate for the petitioner.
Ms. Rajni Gupta, Addl. Advocate General, Punjab.
Ms. Rakhi Sharma, Advocate for
Mr. Sachin Sharma, Advocate for respondents No.2 to 6.

Rajan Gupta, J.

This is a petition under section 482 Cr.P.C. seeking quashing of FIR No.02 dated 01.01.2014, registered against the petitioner under sections 420, 177, 506 IPC and Section 66-A of Information Technology Act, 2000 at Police Station Dehlon, District Ludhiana.

Learned counsel for the petitioner submits that a perusal of the FIR in question reveals that no allegation is there against the petitioner. He submits that petitioner was married with respondent No.2. Respondents No.2 to 6 are habitual of committing fraud. He further submits that petitioner is innocent person and has been cheated by respondent No.2 in connivance with respondents No.3 to 8. Thus, FIR deserves to be quashed.

Learned State counsel as well as counsel appearing for respondents No.2 to 8 have opposed the plea. They submit that Parminder Singh, earlier husband of respondent No.2 as well as the petitioner in connivance with each other took her photographs with the petitioner and also got her signatures on blank papers. They also took Rs.3.5 lacs from respondent No.2 for sending her abroad. They also denied marriage of the petitioner with respondent No.2. Learned State counsel submits that two prosecution witnesses have already been examined and the issue can be decided only after evidence is led before the trial court.

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

FIR was registered on complaint of Surinder Singh respondent No.3, wherein he stated that his daughter Gurpreet Kaur respondent No.2 herein, was earlier married with Parminder Singh of Malerkotla. She got ex-parte divorce from Parminder Singh. Thereafter, petitioner assured the complainant to send his daughter abroad, for which he also took signatures of respondent No.2 on some blank papers and also clicked some photographs. Later on, complainant came to know that petitioner got prepared a duplicate vote of his daughter at village Latala. Petitioner was also harassing son of the complainant on his mobile phone. Enquiry of said complaint was got conducted from SHO, Police Station Dehlon and on approval of said report, present FIR was registered against the petitioner.

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 offence as alleged in the FIR, is not made out. It is also not possible for this court to conclude at this stage that petitioner has been falsely implicated in the case. No case for interference in inherent jurisdiction of this court is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

May 25, 2016
'Rajpal'