
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.283

CRM NO. M-28881 of 2015
DECIDED ON: October 19, 2016

NANBAI AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Shokeen Singh Verma, Advocate,
for the petitioners.

Mr. Parveen Aggarwal, DAG, Haryana,
for respondent No.1.

None for respondent No.2.

JASPAL SINGH, J.

By virtue of the instant petition preferred under Section 482
Cr.P.C., petitioners have sought the quashing of FIR No.346, dated August
13, 2014 (Annexure P-1) under Sections 419, 420, 467, 468, 471, 120-B
IPC, registered at Police Station Civil Lines Bhiwani, District Bhiwani and

all subsequent proceedings arising thereof.

2. The contention of learned counsel for the petitioners is that there are simple allegations levelled by Meena-complainant that the petitioners have withdrawn her due share of compensation by way of impersonation, which was lying deposited in the name of their deceased father. Though, the compromise was arrived at between the petitioners and the complainant-respondent No.2, but she did not withdraw the criminal case pending for disposal in the court at Bhiwani, which necessitated the filing of the instant petition. Otherwise also, no offence much less an offence under Sections 419, 420, 467, 468, 471, 120-B IPC is made out against any of the petitioners from the allegation unfolded in the FIR.

3. This court has given a deep thought to the aforesaid submissions made by learned counsel for the petitioners, but find the same to be without any factual and legal substance. Mere execution of the affidavit by the complainant is not suffice for quashing of the FIR, especially, in the circumstances that she has not acted upon it. Otherwise also, the accused persons in collusion with each other are alleged to have embezzled the amount of the share of the complainant which was withdrawn by way of impersonation and committing forgery. During the course of investigation, it has revealed that the bank account in the name of the complainant and one Babita were opened by pasting the photographs of petitioners Shalu and Manju. There being sufficient evidence collected during the course of investigation, the challan has already been presented. Now the Judicial Magistrate, Bhiwani is seized of the matter and the petitioners are facing the trial. Thus, it cannot be said that no case is made

out against any of the petitioners for the commission of offence under which the FIR has been registered. This court does not find any cogent or convincing ground for quashing of the FIR.

4. Dismissed.

October 19, 2016
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No