

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30446 of 2016

.....

Date of decision:2.9.2016

Kamla Devi

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rose Gupta, Advocate for the petitioner.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.977 dated 30.9.2015 (Annexure-P.1) registered for the offences under Sections 419, 420, 467, 468, 471, 120-B and 34 IPC at Police Station Hisar Sadar, District Hisar and all subsequent proceedings arising therefrom qua the petitioner.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that in the present case, as argued, challan has already been presented but charges have not been framed.

Learned counsel for the petitioner argued that no offence is made out in this case.

I have gone through the FIR which was registered against Jagdish Parshad, Ram Bhagat, Munni, Kamla Devi and Chander Kala. It

has been stated that the complainant along with others are in continuous possession of land measuring 64 Kanals 13 Marlas. A sale deed has been executed in favour of Kamla Devi by impersonating four deceased persons, namely, Smt. Man Kaur who died on 24.9.1988, Bhagwan Dass who died on 18.9.2010, Raman Dass who died on 18.9.2000 and Megh Nath who died on 3.12.2005 and the sale deed was executed on 26.8.2011. It is also in the FIR that the above sale deed had been got executed by the accused with the sole intent to forcibly occupy the land which was/is under continuous possession of the complainant for the last several years and fraud had been played by the accused persons in conspiracy with each other.

Keeping in view the averments in the FIR, in no way, it can be held that no offence is made out against the petitioner. Rather, the sale deed had been executed by impersonation and the present petitioner is beneficiary and the allegation is that all the accused had conspired with each other.

Therefore, keeping in view the above facts, I do not find any ground to hold that the present FIR is abuse of the process of law or amounts to miscarriage of justice.

Therefore, finding no merit in the present petition, the same is dismissed.

September 2, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No