

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-31393 of 2016

.....

Date of decision:8.9.2016

Munni Devi and others

.....Petitioners

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 petitioners.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of the 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 other consequential proceedings arising therefrom qua the petitioners. It has further been prayed that during the pendency of the present petition, the consequential proceedings arising from the above said FIR may be stayed.

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

As per the FIR, land measuring 64 Kanals 13 Marlas is in possession of the complainant along with others. The accused Jagdish Parshad, Ram Bhagat and Munni in collusion and connivance with each other and after hatching criminal conspiracy with accused Chander Kala and Kamla Devi with an intent to put wrongful loss to the complainant and

others and obtaining wrongful gain for themselves got executed the sale deed on 26.8.2011 with regard to 30 Kanals 4 Marlas of land from the above said land in favour of accused Kamla Devi and Chander Kala. It has been stated that Man Kaur widow of Ram Kishan died on 24.9.1988, Bhagwan Dass died on 18.9.2010, Ramn Dass died on 18.9.2000 and Megh Nath died on 3.12.2005. Sale deed had been got executed on 26.8.2011 by impersonating the original owners including the owners who had already expired much before the execution of sale deed. As per the allegations respondents No.3 to 6 have impersonated the deceased persons.

Keeping in view the facts and circumstances of the present case, I find that there is nothing that no offence is made out from the perusal of the FIR. There is nothing, at this stage, to show that the present petitioners have been falsely implicated in this case. In no way, the registration of the FIR can be held as an abuse of process of law or amounts to miscarriage of justice. Specific allegations have been levelled against some of the petitioners and some of the petitioners have impersonated the deceased persons.

Therefore, from the above discussion, I find that no ground is made out for quashing the FIR, at this stage, on the ground that the petitioners have been falsely implicated. Therefore, finding no merit in this petition, the same is dismissed.

September 8, 2016.

(Inderjit Singh)
Judge

hsp

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