

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1192 of 2017

(Arising out of FIR dated 10.05.2017 relating to Crime No. 13/2017 registered at Police Station Bagnadi, Distt. Rajnandgaon for the offence punishable under sections 420, 467, 468, 471, 120B of IPC)

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Harjinder Singh Bhatia, S/o Sardar awtar Singh Bhatia, aged about 53 years, R/o Budhwari Para, Dongergarh, District Rajnandgaon (C.G) --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police station Bagnandi, District Rajnandgaon (C.G) ---- **Respondent**

For the applicant	:	Mr. Rajesh Kumar Sharma, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.12.2017

1. The instant petition has been filed u/s 482 of the Code of Criminal Procedure, 1973 to quash the FIR dated 10.05.2017 arising out of Crime No.13 of 2017 registered at police Station Bagnadi, Distt. Rajnandgaon for the offence punishable u/ss 420, 467, 468, 471, 120-B/34 of IPC
2. Learned counsel for the applicant would submit that the petitioner had in fact purchased the land in the year 1970-71, subsequently it was sold to one Devendra Jain of Mahendra Sponge and Power Limited. The said land was purchased by him for a valuable consideration from the recorded owner and thereafter his name was also mutated in the records. Therefore, no offence is actually made out as the land which was sold was owned by the petitioner.
3. A perusal of the FIR would show that an enquiry was

conducted by the Tahsildar Dongargarh wherein it was found that as per the official records, the lands situated at village Karutola Patwari Halka No. 29, Tahsil Dongargh, bearing Khasra Nos.202, 188, 34, 17, 208, 438, 441, 451, 473, 477 and the lands bearing Khasra Nos. 206, 461, 73, 501, 135, 209, 1940, 335 were recorded as forest lands in the year 1970-71 whereas the lands bearing Khasra No.443 and Kh.No.448 were recorded as grass lands in the year 1970-71. Subsequently a certified copy was given and on that basis, Arun Sahu has sold the land to the present applicant Harjinder Singh and others without obtaining any permission from the competent authority. Thereby the government land was sold showing it to be the private land. No document is placed on record by the petitioner how he came into the ownership of the land. Simply the sale deed has been filed along-with the petition wherein the petitioner has sold the land to one Devendra Jain in the year 2011.

4. Taking into such facts situation of the case, the arguments advanced by the petitioner cannot be appreciated at this stage that no case is made out as per the FIR. Prima facie reading of the FIR would show that cognizable offence has been stated which can be clarified after the investigation is carried out by the police.
5. In the result, I do not find any merit warranting interference by this Court to quash the FIR. Accordingly, The petition is dismissed.

Sd/-
GOUTAM BHADURI
JUDGE