

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM No.M-16308 of 2017 (O&M)**

**Date of Decision: August 01, 2017**

Kishore Kumar Aggarwal and others

...Petitioners

**VERSUS**

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Amit Jhanji, Advocate,  
for the petitioners.

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**INDERJIT SINGH, J.**

The petitioners have filed this petition under Section 482 Cr.P.C. against respondents State of Haryana and Suman Lata for quashing the FIR No.626 of 2013 dated 23.08.2013 under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Sadar Karnal, District Karnal and all subsequent proceedings arising therefrom.

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

From the record, I find that FIR in the present case has been got registered by so many persons by filing applications. As per the complaints made by the complainants, about 250 persons had purchased plots from True Zone Build Well, Sector 33 Karnal, in the year 2010. The said plots were sold out by the company by defrauding them and possession letters were issued to them. But when the complainants arrived at the spot for

raising construction of house, they were restrained by the accused in forcible manner. When they approached the company office, they were pushed out from there. The complainants came to know that an ex-parte decree regarding said land is passed in favour of someone else since before purchasing of plots by the complainants and the case is pending. It is requested in the complaints that officers of the company have sold the plots in fraudulently and destroyed the complainants in connivance with each other.

The allegations against the petitioners are regarding selling of plots by cheating. After investigation, challan has already been presented before the Court. Learned counsel for the petitioners admitted that an ex-parte decree was passed but he argued that it has been set aside and civil suit is pending. He further argued that even the sale deeds have been registered in favour of some of the complainants after the registration of the FIR.

From the record, I find that these persons have purchased the plots in the year 2010 and possession was delivered. When the letter of possession was issued, the complainants were not allowed to construct their houses/residences. If there was any ex-parte decree before the issuance of allotment letter to the complainants and when there was any dispute with anybody regarding ownership, then the accused should not have sold the plots to so many persons and restrained them from taking the possession etc.

At this stage, without expressing any opinion on the merits of the case, I find that, in no way, it can be held that registration of FIR is abuse of process of law or amounts to miscarriage of justice. In no way, it

trial Court has not framed the charges yet and will look into the record, whether any offence is made out and if so, under which Section.

Therefore, finding no merit in the present petition, the same is dismissed. However, nothing stated above will constitute my opinion on the merits of the case.

August 01, 2017  
Vgulati

(INDERJIT SINGH)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes  
No