

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

221

**CRM-M-27150-2009 (O&M).
Date of Decision: 23.08.2017.**

Nishan Singh and another

....Petitioners.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Vishal Satija, Advocate for
Mr. Vivek K. Thakur, Advocate for the petitioners.

Mr. Rana Harjasdeep Singh, Assistant Advocate General,
Punjab.

Mr. A.S. Khinda, Advocate for respondent No.2.

Ramendra Jain, J.(Oral)

Prayer in the instant petition under Section 482 of the Code of Criminal Procedure has been made for quashing of the F.I.R. No.221 dated 18.08.2009 under Sections 420/406/120-B of the Indian Penal Code, registered at Police Station City Kapurthala and subsequent proceedings therefrom.

Learned counsel for the petitioners contends that the instant petition qua petitioner No.1 has already been dismissed vide order dated 25.09.2009. There is not even a whisper or iota of evidence against petitioner No.2 to show that she had ever entered into any agreement to sell with the complainant or had privity to any transaction between her husband Nishan Singh and complainant Bikkar Singh, therefore, the aforesaid F.I.R. qua petitioner No.2 is liable to be quashed.

Learned counsel for the State, assisted by learned counsel for complainant-respondent No.2, could not refute the above submissions of learned counsel for the petitioners. Moreso, perusal of F.I.R. Annexure-P3, shows that no allegation has been levelled against petitioner No.2. Even she is not named therein.

Considering overall facts and circumstances of the case, the instant petition qua petitioner No.2 is accepted. Resultantly, F.I.R. No.221 dated 18.08.2009 under Sections 420/406/120-B I.P.C., registered at Police Station City Kapurthala, qua petitioner No.2, is ordered to be quashed.

(RAMENDRA JAIN)
JUDGE

23.08.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No