

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

**(i) CRM No.M-33941 of 2012 (O&M)**

Manmohan Singh and another

...Petitioners

VERSUS

M/s Sublime Chit Fund Co. Pvt. Ltd.

...Respondent

**(i) CRM No.M-33951 of 2012 (O&M)**

Manmohan Singh and another

...Petitioners

VERSUS

M/s Sublime Chit Fund Co. Pvt. Ltd.

...Respondent

**Date of Decision: May 10, 2017**

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

Present: Mr.P.S.Khurana, Advocate  
for the petitioners.

Mr.Pardeep Rajput, Advocate  
for the respondent.

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**INDERJIT SINGH, J.**

Both the above-mentioned cases are taken up together as the point for determination in both the cases is the same.

Petitioners have filed these petitions under Section 482 Cr.P.C.

for quashing of criminal complaints dated 11.02.2012 bearing No.2165 and

dated 01.03.2012 bearing No.3491 titled as 'M/s Sublime Chit Fund Co. Pvt.

Ltd. vs. M/s Teja Singh & Sons and others' and also summoning orders dated 11.02.2012 and 01.03.2012 passed by learned JMIC, Amritsar along with all subsequent proceedings arising therefrom.

Notice of motion was issued. Learned counsel for the respondent appeared and contested the petition.

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

At the time of arguments, learned counsel for the petitioners argued that petitioners have lodged FIR No.119 dated 10.09.2009 against the complainant Chit Fund Company and the present complaints are counter blast. Qua this argument, I find that the complaints cannot be quashed on this ground. This is finding of fact, which is to be given by learned trial Court on the basis of the evidence that whether these complaints have been filed as counter blast or not. The finding of facts cannot be given by this Court without any evidence. This Court cannot decide the motive to file the complaints at this stage.

Learned counsel for the petitioners further argued that M/s Teja Singh & Sons has been dealing with Rajinderpal Singh co-accused but the documents produced by the complainant are forged documents. This argument has also been denied by learned counsel for the respondent. Again qua the fact whether the documents are genuine or forged one, findings are to be given by the trial Court on the basis of evidence, which is yet to be produced before the Court. At this stage, this Court cannot held without any evidence that the documents are genuine or forged one.

As regarding the fact that whether the petitioners Manmohan Singh and Harpal Singh are partners or not, no documents have been

produced by the petitioners to show beyond doubt that they are not partners or they have no concern with the firm M/s Teja Singh & sons. The respondent has placed on record some documents stated to be signed by Manmohan Singh and Harparl Singh as partners i.e. declaration form etc. These documents are to be proved before the trial Court when the evidence is to be produced. As already discussion, these documents, at this stage, cannot be held as forged documents. In the complaint, there are specific allegation against the present petitioners that they are partners of the firm M/s Teja Singh & Sons and further they have executed confirmation letter etc.

In view of above discussion, in no way, it can be held at this stage that filing of complaints in question against the present petitioners, amounts to abuse of process of law or amounts to miscarriage of justice.

Therefore, finding no merit both the petitions, the same are dismissed.

**May 10, 2017**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

**Yes**  
**No**