

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

**CRM No.M-32592 of 2017(O&M)
Date of Decision: September 07, 2017**

Amarjeet Kaur and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sukhdeep Singh Sidhu, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. against respondents State of Punjab and Lachhman Singh for quashing the FIR No.12 dated 15.02.2016 under Sections 420, 465, 467, 468, 471, 506 and 120-B IPC registered at Police Station City-II Abohar, District Fazilka.

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

From the record, I find that in the present case challan has already been presented but the charges have not been framed so far. Learned counsel for the petitioners argued that earlier an application was filed by the complainant on 01.10.2015, which was enquired into by the police and it has been filed and no action was taken. Therefore, he argued that present FIR is nothing but abuse of process of law and should be

I have gone through the earlier report given by the Deputy Superintendent of Police, in which, he stated that the applicant has got written in his statement and affidavit that his compromise has been settled with Samanpreet and Manpreet and she does not like to take any action against them. Therefore, application was recommended to be filed. Second point was that the money transaction was found at Bathinda. In these circumscribed, no legal action is required to be taken in District Fazilka. Learned counsel for the petitioner nowhere argued that FIR cannot be registered at Fazilka or no cause of action has arisen at Fazilka.

From the record, I find that earlier, no FIR has been registered. Now, the FIR has been registered and after investigation and after collecting evidence by the police, challan has already been presented before the Court. Therefore, mere fact that in the earlier enquiry, no action was taken, is no ground for quashing the FIR. Furthermore, I have gone through the FIR. As per the allegations in the FIR, amount of ₹2.50 lakhs has been paid to the present petitioner and other co-accused on 17.03.2013 and present petitioner assured the complainant party that there work will be done soon and asked the complainant to arrange the remaining amount. It is also in the FIR that complainant gave ID proof, Passport of Balkaran, Aadhaar Card, Voter Card, Ration Card etc. It is further in the FIR that in May 2013, accused Gurmail Singh and co-accused Harnek Singh came to the house of the complainant and stated that their file has been approved and demanded remaining amount also. From the perusal of the FIR, I find that cognizable offence has been committed. In no way, it can be held that no offence is made out. These are the findings of fact whether the petitioners are innocent

trial Court on the basis of the evidence produced before it. At this stage, in no way, it can be held that present petitioners have been falsely implicated in the present case.

In view of the above discussion, I find that no ground is made out for quashing the FIR.

Therefore, finding no merit in the present petition, the same is dismissed.

September 07, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No