

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.32810 of 2015 (O&M)

Date of Decision: 22.2.2017

Nachhatar Singh

..Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Kuldip Sanwal, Advocate for the petitioner.

Mr.Sidakmeet Singh Sandu, AAG Punjab.

AMOL RATTAN SINGH, J.

This petition has been filed seeking the quashing the FIR No.149 dated 31.10.2013, registered at Police Station Pasiana, District Patiala, for the alleged commission of offences punishable under Sections 419, 420, 467, 468, 471, 120-B IPC.

Learned counsel for the petitioner has vehemently argued that the petitioner cannot be held responsible for one Kewal Singh having forged the revenue record to show that he was owner of land actually belonging to one Jagroop Singh, on the basis of which he obtained a loan from the bank to purchase a 'combine harvester' from the petitioner.

Whereas that aspect is obviously correct, however, the allegation against the petitioner is that no combine harvester was actually sold at all, with the petitioner also having prepared false papers to show such a sale, to facilitate the loan for Kewal Singh.

On the last date of hearing, learned counsel for the petitioner

had pointed to that part of the FIR wherein it had been mentioned that a combine harvester was “prepared” and sold to Jagroop Singh.

On further investigation, it has been found by the police, as contended by learned State counsel on instructions from ASI Paramjit Singh, that as a matter of fact, no combine harvester was ever sold by the petitioner and the aforesaid statement in the FIR was based on the petitioners' statement himself, that a harvester had actually been sold by him to the aforesaid Kewal Singh.

On a specific query, learned counsel for the State submits that no person has been actually able to show the existence of such a combine harvester.

In view of the above, without commenting upon the merits of the contentions made, which would obviously be subject matter of determination by the trial Court, I find no reason to entertain this petition, which is consequently dismissed and the interim order dated 14.1.2016 is vacated.

(Amol Rattan Singh)
Judge

22.2.2017
Meenu

Whether speaking/reasoned	- Yes/No
Whether Reportable	- Yes/No