

In the High Court of Punjab & Haryana at Chandigarh.

CRM-M-11294-2017 (O&M)

Date of decision: 04.04.2018

Harvinder Kaur and Others

..... Petitioners.

vs.

State of Punjab and Others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioners.

Mr. Abhaypal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J.(ORAL)

Prayer in this petition is for quashing of FIR No.91 dated 24.03.2016, under Sections 447/511/506/379 and 120-B IPC registered at Police Station Zirakpur.

Reply by way of affidavit of DSP, Sub-Division Derabassi, District SAS Nagar (Mohali) on behalf of respondents No. 1 to 3 has already been filed. As per the reply, respondent no.4 got the aforesaid FIR registered against the petitioners with the allegation that the petitioners have encroached upon some part of his plot by demolishing the boundary wall and had further stolen the bricks.

It is further stated that the report under Section 173 Cr.P.C. has already been presented before the trial Court and the petitioners have an alternative remedy to address arguments at the time of framing of charges as disputed question of facts are involved in the present petition. It is further submitted that the petitioners are not appearing before the trial Court and non-bailable warrants have been issued against them for 07.04.2018.

In view of the same, this petition is disposed of with liberty to the petitioners to avail alternative remedy in accordance with law.

04.04.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No