

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

**CRM-M-20496-2017**

**Date of Decision :- 26.04.2018**

**Prabhpreet Singh and others**

**...Petitioners**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE H.S. MADAAN**

**Present:-** Mr. R.S. Tacoria, Advocate,  
for the petitioners.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

\*\*\*\*

**H.S. MADAAN, J. (ORAL)**

Petitioners – Prabhpreet Singh and others have brought the instant petition under Section 482 Cr.P.C. for quashing of FIR No. 131 dated 06.04.2015, for offences under Sections 420 and 120-B IPC and Section 7 of the Essential Commodities Act, 1955, registered at Police Station Jodhewal, District Ludhiana, against them, alongwith consequential proceedings arising therefrom contending that FIR in question was wrongly registered against them on the allegations that they were trying to take away 250 bags of government wheat meant to be distributed to blue card holders and they tried to sell all those bags illegally.

According to the petitioners, petitioner No.1-Prabhpreet Singh is having a Government Depot licence, petitioner No.3-Dalvinder Singh is also a licenced ration depot holder, whereas petitioner No.2-Harpal Singh is father of petitioner No.1-Prabhpreet Singh and both of them are having joint residence and business. The matter had been enquired into by various officers and petitioner No.3 found innocent. The police had also prepared cancellation report, but the same is not being submitting in the Court for one reason or the other. Therefore, the petitioners have come up with the present petition. Notice of the petition was given to respondents-State, which put in appearance and filed written reply.

I have heard learned counsel for the petitioners and learned State counsel, besides going through the record.

The very fact that the police had prepared a cancellation report, though it has not been filed in the Court and the fact that petitioners No.1 and 3 are stated to be licenced depot holders and in various enquiries conducted, they were not found to have committed any illegality, there appears to be little chances of prosecution proving to be successful.

As such, the petition is allowed and the abovesaid FIR alongwith ancillary proceedings are hereby quashed.

(H.S. MADAAN)  
JUDGE

26.04.2018  
Dinesh

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