

CRM-M No.29261 of 2013

Date of Decision : 17.05.2018

Pal Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI**Present:** Mr. G.S. Bawa, Advocate
for the petitioners.Ms. Rajni Gupta, Senior DAG, Punjab
for respondents No.1 to 3.Mr. Jagjit Singh, Advocate for
Mr. Kunal Dawar, Advocate
for respondent No.4.**P.B. BAJANTHRI, J. (ORAL)**

In the instant petition, petitioners have prayed for quashing of FIR No.164 dated 09.10.2012 under Sections 447/511/506/148/149 of the Indian Penal Code registered at Police Station Morinda, District Rupnagar and all subsequent proceeding arising therefrom including filing report under Section 173 Cr.P.C in the Court of Additional Chief Judicial Magistrate, Rupnagar.

2. Learned counsel for the petitioners submitted that with reference to Annexures P-4 and P-5, which are deed of mutual settlement and will, respectively, there is a dispute among the family members relating to sharing of properties. Therefore, the impugned FIR and further proceedings are illegal pursuant to the FIR and consequently, proceedings are liable to be set aside.

3. Since, September, 2013, there is no interim order in the present petition relating to staying further proceedings pursuant to the FIR No.164 dated 09.10.2012 whereas, in the trial Court, proceedings are at the final stage.

As per the instructions of the learned State counsel, the matter is listed for evidence of remaining witnesses for today and only one witness is remained to examine.

4. In view of these facts and circumstances, no interference is called for under Section 482 Cr.P.C since the scope of interference in the said Section with reference to quashing of FIR is limited and the fact that trial Court has already proceeded pursuant to the FIR, consequently, no interference is called for.

5. Accordingly, the petition is dismissed. Reserving liberty to the petitioners to raise plea in defence before the Trial Court.

(P.B. BAJANTHRI)
JUDGE

17.05.2018
Neha

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