

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

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**CRM-M-35192-2018 (O&M)
Date of Decision : 07.09.2018**

Ram Asra and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr.N.S.Diwana, Advocate for the petitioners.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioner has challenged FIR No.10 dated 24.06.2018 registered at Police Station Kheri Naudh Singh, District Fatehgarh Sahib under Sections 447, 511, 506, 147, 149 of IPC. Perusal of FIR it is evident that there were serious allegations made against the petitioners by the complainant to the extent that petitioners have approached the complainant and tried to take away the loan for the purpose of cultivation and also there is threat of death to the complainant and others. Learned counsel for the petitioner submitted that allegations are false in order to falsely implicate the petitioners complaint has been filed before the police as there was civil dispute among the petitioners and the complainant. Thus, prima facie it is a case of civil in nature.

2. Perusal of the FIR it is crystal clear that there are serious allegations made against the petitioners by the complainant insofar as threatening of about 7 to 8 unknown persons along with the petitioners. It is a matter of investigation relating to the alleged allegations stated in the

complaint. Before completion of investigation and any report is filed question of interference with the FIR do not arise. At least Investigating agency is required some time to collect the evidence and at the threshold interference is not correct in view of the latest decision of Supreme Court titled as *State of Tamil Nadu versus S.Martin etc.* reported in 2018(5) SCC 718 and *Munish Ram versus State of Rajasthan and another* reported in 2018(5) SCC 678.

3. In view of these factual aspects, no ground is made out to interfere at this stage. Therefore, petition stands dismissed.

07.09.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No