

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4244-2017 (O&M)

Date of decision: 02.11.2018

Kuldeep Singh and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Tarunveer Vashist, Advocate for the petitioners.

Mr. Yashwinder Singh, DAG, Haryana.

Mr. Yowan Sharma, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 65 dated 22.04.2016 (Annexure P-1) registered under Sections 406, 420 and 120-B IPC at Police Station Mulana, District Ambala.

Referring to the judgment of this Court in **Madan Lal and another Vs. State of Haryana and another, 2012(3) RCR (Criminal) 643** and that of Hon'ble the Supreme Court in **State of Maharashtra Vs. Sayed Mohammed Masood and another, 2010(1) RCR (Criminal) 177**, learned counsel for the petitioners contends that respondent No. 2 has adopted a short-cut method of registration of the impugned FIR, without seeking appropriate remedy of filing a civil suit for specific performance of impugned agreement to sell

Having gone through the contents of instant petition, this Court is of the considered view that petitioner should be relegated to the trial Court, with liberty to raise all the pleas taken herein, at the time of framing of charge or at appropriate stage.

The instant petition stands disposed of, accordingly.

November 02, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No