

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

Sr. No.120

**CRM-M-50893-2018**

**Date of decision : 19.11.2018**

Karamjit Singh

..... Petitioner

**VERSUS**

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Sandeep Sharma, Advocate, for the petitioner.

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**SUDHIR MITTAL, J. (Oral)**

The petitioner seeks quashing of FIR No.152 dated 15.7.2018, registered at Police Station Sohana, District SAS Nagar (Mohali), under Section 406, 420 IPC.

A perusal of the FIR shows that allegation against the petitioner is that the petitioner inherited the property in dispute through a registered Will dated 28.9.2001. Thereafter, he agreed to sell that property to the complainant for a sum of Rs.80 lacs and a sum of Rs.30 lacs was received by way of earnest money.

Further, he was required to withdraw the case pending before the High Court to enable him to execute the sale deed. However, he did not withdraw the case pending before the High Court resulting in registration of the FIR.

Learned counsel for the petitioner submits that the agreement on the basis of which the FIR has been registered is a forged and fabricated agreement and that the same is under challenge in the civil Court. In this view of the matter, the registration of the FIR is abuse of the process of law and the same should be quashed.

The petitioner may have challenged the agreement to sell by way of a civil suit, but till date, there are no findings of any civil Court. Unless and until, the said civil litigation is finalized, the petitioner is not entitled to claim that the agreement to sell on the basis of which FIR has been registered is a forged and fabricated document.

Thus, the petition is premature and dismissed.

**(SUDHIR MITTAL)**  
**JUDGE**

**19.11.2018**

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No