

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

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**CRM-M-3903-2019 (O & M)
Date of Decision:07.05.2019**

MEENA AND ANR

...PETITIONERS

VERSUS

STATE OF HARYANA AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Udeyveer Singh Rana, Advocate
for the petitioners.

MANOJ BAJAJ, J.(ORAL)

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.140 dated 28.04.2016 under Sections 420 and 120-B IPC registered at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioners contends that the allegations contained in the FIR are false as alleged power of attorney is in existence and was never cancelled. Learned counsel for the petitioners has referred to the order dated 12.07.2016 (Annexure P-4) whereby the anticipatory bail was granted to the petitioners. Para 10 of the same is extracted as under:-

“10. As per the admitted case of the prosecution, the GPA was executed by Jagdish, Ranjha, Ramji Lal @ Ajay and Om Parkash son of Kartar Ram in favour of their mother Ratni Devi. It is also admitted case of the prosecution that a sale deed dated 20.09.2013 was executed by Ratni Devi in favour of Meena wife of Ranjha on the basis of GPA dated 27.12.2006. It is claimed by the complainant that GPA in favour of Ratni Devi was cancelled on 29.12.2011, but at this stage,

there is no documentary proof by virtue of which it could be inferred that power of attorney executed by him in favour of his mother Ratni Devi was cancelled by him. The petitioner Vijay wife of Jagdish has not been attributed with active role in getting sale deed executed on the basis of GPA in favour of Meena wife of Ranjha. The petitioner Randhir Singh is attributed with the is attributed with the role of appearing as an attesting witness in the office of Sub Registrar, Kalka at the time of registration of sale deed dated 20.09.2013.”

A perusal of the above order would indicate that the same was passed in a petition filed under Section 438 Cr.P.C. for pre-arrest bail and at that stage the investigation was pending. It is not disputed by learned counsel for the petitioners that after completion of investigation the final report was submitted against the petitioners and Court had proceeded to frame charges vide order dated 17.04.2018. Admittedly, no revision was filed against the said charge-sheet. At this stage, learned counsel for the petitioners submits that the jurisdiction of this Court under Section 482 Cr.P.C. can be invoked at any stage of the trial. Since the petitioners are not even aware of the stage of the trial and the final report prepared by the police under Section 173 Cr.P.C. is also not on record, this Court finds that the only ground raised by the learned counsel is not sufficient for invoking the inherent powers under Section 482 Cr.P.C.

Dismissed.

07.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No