

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

**CRM-M No. 10362 of 2017 (O & M)
Date of Decision:-26.08.2019**

Bohar Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.162 dated 08.10.2015, under Sections 382, 506, 34 IPC, registered at Police Station Nehianwala, District Bathinda.

Learned counsel for the petitioner contends that the FIR was lodged at the instance of Darshan Singh wherein it was alleged that on 07.10.2015 when he was riding on his motor-cycle bearing registration No.PB-03A-0857, accused Bohar Singh (petitioner) alongwith two unknown persons stopped and snatched his vehicle by giving threat.

Learned counsel for the petitioner contends that in fact the vehicle was purchased by Bohar Singh from complainant on 19.9.2014, and

on 04.8.2015, the complainant had borrowed the said motor-cycle from petitioner, which was not returned, thereby compelling the petitioner to make a complaint (Annexure P-3) on 05.8.2015 against Darshan Singh before the police.

It is not in dispute that the petitioner is on regular bail and the said concession to him was extended on 28.9.2015. Since the investigation in the case is pending and the petition is founded on disputed facts, therefore, it will not be appropriate for this Court to exercise the powers under Section 482 Cr.P.C. However, it shall be open for the petitioner to raise these issues before the investigating officer during the investigation.

At this stage Mr. Ramdeep Partap Singh, DAG, Punjab on instructions from ASI Des Raj has apprised the Court that the signatures of the petitioner are required for comparison of signatures appended on affidavit (Annexure P-2).

As the grounds raised by the petitioner in this petition are being looked into by the police, therefore, the petition, at this stage is premature and disposed off as such.

As the main case is decided, therefore, any pending application(s), are disposed off as infructuous.

August 26, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No