

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

**CRM-M No. 20403 of 2016
Date of Decision:-15.01.2019**

Virenderjeet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Satbir Gill, Advocate
for the petitioners.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. K.B. Raheja, Advocate
for respondent No.2.

MANOJ BAJAJ J.(Oral)

This petition has been filed by six petitioners for quashing of FIR No.58 dated 23.5.2016 under Section 382 IPC, registered at Police Station Sadar, Sri Muktsar Sahib.

The FIR was registered on the basis of statement given by complainant Raghubir Singh, wherein, it is alleged that he is working as a driver with Resham Singh s/o Joginder Singh on his vehicle (Truck) bearing No.HR-61-I-2117. It is alleged that on 04.5.2016 after unloading the material, the driver alongwith conductor Sonu reached in the area of Kabarwal, then a vehicle Innova bearing registration No.PB-11BN-3745

came in front of the truck from which 6-7 persons alighted, who were named as Lakhbir Singh Sonu, Vikramjit Singh @ Vikka, Virender Singh, Karamveer Singh s/o Satnam Singh and Hardeep Kumar @ Deepi s/o Surjit Ram (petitioners herein). They stopped the vehicle and snatched away the truck from the complainant.

The petition is founded on the ground that the vehicle in question was purchased through agreement dated 26.5.2015 (Annexure P-2). As per this document, petitioner No.1-Virenderjeet Singh has purchased the vehicle from Resham Singh (respondent No.2). Learned counsel for the petitioners has argued that the vehicle in question was in fact purchased by the accused and therefore, no case is made out.

On the other hand, reply has been filed on behalf of State.

It is pointed out in the reply that various attempts have been made to arrest the accused, however, they are yet to be arrested.

Since the matter is still pending investigation and the petition is founded on the disputed facts, which cannot be gone into by invoking the inherent powers under Section 482 Cr.P.C., therefore, no ground is made out for invoking inherent powers under Section 482 Cr.P.C.

January 15, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No