

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

**Crl. Misc. No.M-23867 of 2015 (O&M)
Date of Decision: July 23, 2019**

Pargan Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jaswinder Singh, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

SURINDER GUPTA, J.(Oral)

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 339 dated 13.10.2007 under Sections 420, 465, 467, 471, 120-B of Indian Penal Code (for short 'IPC') and 3/4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'Act'), registered at Police Station City Kapurthala (Annexure P-2) and all the subsequent proceedings arising therefrom.

Report of the trial Court has been received.

Learned counsel for the petitioner submits that this case is covered by judgment in the case of Captain Harminder Singh Versus State of Punjab and another (CRM No. M-14322 of 2013) decided on 30.01.2015.

Learned State counsel submits that FIR was registered against

Harminder Singh and Pargan Singh with the allegations that *nazool* land allotted to the petitioner-Pargan Singh was sold to Harminder Singh against the terms and conditions of Nazool Lands (Transfer) Rules 1956.

This fact is not disputed that violation of terms of above 1956 Rules make out no case for initiating criminal proceedings against the petitioner. The allegations against the petitioner is that he had sold the land allotted to him. If he has violated any terms of letter of allotment, appropriate proceedings by the competent authority can be initiated against him for violation of terms.

The allegations against the petitioner and Harminder Singh are similar, as such, being a covered case, this petition is allowed. FIR No. 339 dated 13.10.2007 under Sections 420, 465, 467, 471, 120-B IPC and 3/4 of the Act, registered at Police Station City Kapurthala (Annexure P-2) and all the consequential proceedings, arising therefrom, qua the petitioner are quashed.

July 23, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No