

CRM-M-4352 of 2016 (O&M)

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

CRM-M-4352 of 2016 (O&M)
Date of Decision: 27.02.2019

Satnam Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Som Nath Saini, Advocate, for the petitioner.
Mr. Amandeep S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 482 Cr.P.C. prayer has been made for quashing FIR No.166 dated 06.12.2014 registered under Sections 206, 420, 467, 468, 471, 120-B IPC at Police Station Julkan, District Patiala.

In nutshell, respondent No.2 got lodged aforesaid FIR on the allegations that petitioners on the basis of forged title deeds and mutations claiming themselves to be owners of the land owned by him and his co-sharer Gurdeep Kaur etc. succeeded in obtaining loan.

After completion of investigation, final report under Section 173 (2) Cr.P.C. was filed against the petitioners to face trial under Sections 420, 467, 468, 471, 120-B IPC and they were charge-sheeted accordingly by the trial Court.

In the meantime, petitioners approached this Court by way of present petition.

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simultaneously litigating on civil side in which the petitioners have succeeded in establishing their title over the land claimed by respondent No.2-complainant vide judgment and decree dated 30.01.2018 (Annexure A-1) declaring sale deed dated 17.03.1994 in favour of respondent No.2-complainant as invalid document and possession has also been restored in favour of the petitioner.

Heard.

In view of above, matter seems to be of civil nature. None of the financier or the bank ever made complaint that petitioners fraudulently obtained loan on the basis of forged and fictitious papers. Therefore, in the considered opinion of this Court, respondent No.2 who was claiming title over the disputed land since has lost his battle had no *locus standi* to lodge the impugned FIR.

In view of discussion made above, petition is allowed. FIR No.166 dated 06.12.2014 is quashed.

February 27, 2019
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No