

New India Assurance Company Limited

....Petitioner

Versus

U.T., Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**Present:** Mr. Vinod Gupta, Advocate
for the petitioner.Mr. Rajiv Sharma, Additional Public Prosecutor
for U.T., Chandigarh**ARVIND SINGH SANGWAN J. (Oral)**

Prayer made in the petition is for issuance of direction to the respondents No.2 to 4 to lodge FIR against the respondents No.5 and 6 for tempering, forging the public documents in such a manner that put loss to the petitioner-Company.

As noticed in earlier order, the allegations of the petitioner are that during the proceedings before the Motor Accidents Claims Tribunal, Gurgaon arising out of a claim filed by respondent No.5 qua the death of her husband Gaurav Jain, insurance policy/cover note was produced before the said Court, which, according to the petitioner, was found to be a fabricated document.

Learned counsel appearing for the U.T., Chandigarh has submitted that, in fact, nothing has happened at Chandigarh and the insurance cover note of the aforementioned Company was produced before the Judicial Magistrate 1st Class, Dera Bassi in FIR No. 20 dated 24.1.2015 under Sections 279, 427/304-A IPC registered at Police Station, Zirakpur by

the owner of the offending vehicle and it appear that from there by obtaining a copy of the same, it was produced before the MACT, Gurgaon.

Since it is own case of the petitioner-Company that the owner has produced the forged documents before the Judicial Magistrate 1st Class, Dera Bassi or before MACT, Gurgaon, no such directions can be issued for registration of the FIR. However, it will open to the petitioner to approach the concerned Court by moving an appropriate complaint, in accordance with law.

The petitions is, accordingly, disposed of.

February 14, 2019
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No