

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

CRM-M-1530-2018

Date of Decision: 26.09.2019

Baljit Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Advocate for the petitioner

ANIL KSHETARPAL, J.

Petitioner prays for quashing of FIR No.7 dated 27.01.2016 registered under Sections 406, 420 and 120-B IPC at Police Station SGN Dev Thermal, Bathinda.

Learned counsel for the petitioners contends that the first informant had a dealing with M/s New Cargil Agro Chemical, whereas the petitioners have no dealing with the same. He further submits that the petitioners are residing at Patran, which is 60 km away from Patiala. He, hence, submitted that FIR in question is required to be quashed.

This Court has considered the submissions.

On reading of the FIR, it is apparent that there are specific allegations of entrustment of goods to the petitioners. In para 4 of the FIR, the allegations against the petitioners are extracted as under:-

“4.....When we asked about the goods, which was out property, entrusted to them, they said that they have established two more firms, owner of these firms are accused Baljit Singh and Jagjeet Singh.”

The jurisdiction of the High Court, while exercising powers

under Section 482 Cr.P.C. is limited. The High Court can exercise the jurisdiction only if it is in a position to record firm finding that no case against the petitioner is made out.

In view of the allegations made, it is not appropriate to record any finding. Hence, the petitioners are relegated to the remedy before the trial court.

Disposed of.

26.09.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No