

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-43401-2020

Date of Decision: 22.12.2020

Gurpreet Singh and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. H.S. Dhindsa, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.76 dated 07.07.2019, under Sections 323, 452, 506 and 34 IPC (Section 201 IPC added and Section 307 IPC deleted later on), registered at Police Station Banur, District Patiala (Annexure P-1) along with its subsequent proceedings.

Learned counsel has argued that since the property is jointly owned by the parties, therefore, the offence punishable under Section 452 IPC would not be made out.

During the course of hearing, it is not disputed by learned counsel for the petitioners that in respect of the occurrence whereupon the subject FIR was recorded, a cross version was set up by petitioner No.2, however, as no cognizance was taken by the police, therefore, he brought CRM-M-41243 of 2020, which is pending for 29.01.2021.

After hearing the learned counsel for the petitioners, this Court finds that after completion of investigation, the final report stands submitted against the petitioner, however, the same is yet to be considered by the trial

Court. As there is a cross version also, therefore, this Court does not find it to be a fit case for exercise of inherent powers under Section 482 Cr.P.C. at this stage. However, it shall be open for the petitioners to raise all these issues before the trial Court at the stage of consideration of the final report.

Disposed off.

22.12.2020  
*Jasmine Kaur*

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |