

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

Date of decision: 06.02.2020

CRM-M-47259-2019(O&M)

Jaswinder Paul Kaur

..Petitioner

Versus

State of Punjab and another

...Respondents

CRM-M-47290-2019 (O&M)

Ravneet Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CRM-M-47366-2019 (O&M)

Navneet Singh @ Ravneet Singh

..Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Inderjit Sharma, Advocate for the petitioner(s).

Mr. Paramjit Batta, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

By this order, I intend to dispose of CRM-M-47259-2019 (O&M), titled as 'Jaswinder Paul Kaur Versus State of Punjab and another', CRM-M-47290-2019 (O&M) titled as 'Ravneet Kaur Versus State of Punjab and another', and CRM-M-47366-2019 (O&M) titled as 'Navneet Singh @ Ravneet Singh Versus State of Punjab and another', as in all these

three petitions, prayers have been made for quashing of FIR No. 67 dated 04.04.2018, registered at Police Station City Gurdaspur Tehsil and District Gurdaspur, under Sections 420, 406 IPC (Section 120-B added later on), alongwith all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner(s) states that in the present case, on the application of one of the co-accused-Jarnail Singh an enquiry was conducted firstly by Superintendent of Police (Headquarter) Gurdaspur and as per the report dated 14.06.2018 (Annexure P-2) the FIR was found to be false and thereafter cancellation report dated 18.06.2018(Annexure P-3) was prepared by SHO, PS City Gurdaspur. The cancellation report was placed before concerned DSP and vide order dated 25.06.2018 (Annexure P-4) the same was forwarded to Superintendent Police (Investigation), Gurdaspur and he vide his report dated 27.06.2018 (Annexure P-5) drawn a conclusion that the FIR has been falsely registered and on the same endorsement was given by the Senior Superintendent of Police, Gurdaspur.

Learned counsel for the petitioner(s) further states that now the challan has been presented. It has also been pointed out that one of the petitioner namely Ravneet Kaur daughter of Amarjit Kaur @ Amrik Kaur and Narinder Singh, alleged to be a main accused, have deposited Rs. 20,60,000/- and the complainant had withdrawn the same with the permission of this Court and Navneet Singh son of Amarjit Kaur @ Amrik Kaur and Narinder Singh have deposited Rs. 4,20,000/- which has also been withdrawn by the complainant by getting permission from this Court.

Learned counsel appearing for the complainant states that the cheques in question issued by Ravneet Kaur and Navneet Singh have been dishonoured and the main accused Narinder Singh and Amarjit Kaur @

Amrik Kaur have been declared proclaimed offenders.

I have heard the learned counsel for the parties.

Without going into the merits of the case and in view of law laid down by Supreme Court of India in criminal appeal No. 478-479/2017 titled as '***Vinubhai Haribhai Malaviya and Ors. Vs. The State of Gujarat and another***' decided on 16.10.2019, the trial Court is directed to decide all these issues before proceedings further as per law.

Learned counsel for the petitioners has liberty to raise all the issues before the trial Court.

Disposed of accordingly.

(HARNARESH SINGH GILL)

06.02.2020

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No