

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

CRM-M-8103-2022

Date of decision: March 07, 2022

Tarlochan Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Hitesh Ghai, Advocate
for the petitioner.

Mr. J.P. Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for quashing of the FIR No.185 dated 7.9.2021 under Sections 323, 341, 506, 427 IPC, registered at Police Station Khanna City-2, Khanna and all the subsequent proceedings arising therefrom.

As per the allegations in the FIR, registered on the statement of one Mohit Kumar, that he is doing the business in the name and style of Azad Tent Service having a shop in Guru Amardass Market Khanna. There is a passage adjoining to the shop where he has installed a shutter and raised a wall. A case with regard to the same is pending against Tarlochan Singh, i.e. petitioner No.1 in the Civil Court. On 7.9.2021, in the morning, he found that the wall has been demolished by Tarlochan Singh, his son, nephew and servant. When he objected to the same, all of them started quarrelling and gave beatings to him. The complainant ran away from the spot and saved his life.

Counsel for the petitioners submits that, in fact, a civil suit is pending with regard to the disputed property and, therefore, the complainant has falsely implicated the petitioners.

The learned State counsel has, however, submitted that the case is under investigation and the prayer for quashing of the present petition during investigation is not maintainable.

After hearing the counsel for the parties and considering the fact that the allegations against the petitioners are of giving beatings to the victim, therefore, mere fact that the civil suit is pending no ground for quashing of the FIR is made out.

Accordingly, the present petition stands dismissed.

March 07, 2022
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No