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

**CRM-M-50836-2019
Date of Decision: 20.09.2022**

MISRUDDIN

...Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sachin Mittal, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of the FIR No.150 dated 18.02.2019, under Sections 420, 467, 468, 471, 120-B and 506 IPC, registered at Police Station Nuh.

Learned counsel for the petitioner has submitted that as per the allegations there was no role attributable to the petitioner and as per the allegations the complainant-respondent No.2 Sunil Bhalotiya got lodged an FIR by alleging that there was a fake GPA by which the land has been transferred and the land belongs to his uncle namely Chander Parkash Bhalotiya. He submitted that the petitioner has got a valid power of attorney.

On the other hand, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana has stated that a detailed affidavit has been filed by the State and while referring to para No.4 and 5 of the affidavit, he submitted that a complaint was initially filed at the instance of respondent No. 2- Sunil Bhalotiya but during the investigation an SIT was constituted by the Superintendent of Police, Nuh on 19.03.2019 and during the investigation Inspector Bhupender Sharma reached Kolkata and recorded the statement of the real person Chander Parkash Bhalotiya and he told that he has a land at four places namely, Barota, Raisika, Karsika and Ujina and the fake GPA has been registered qua the said lands. His nephew namely Sunil Bhalotiya has also been involved in the said fraud but he never appointed Sunil Bhalotiya as Director in his company and all the documents prepared which have been prepared in this regard are fake and rather he had executed one GPA in favour of one Anand Kumar, resident of Atta, District Nuh. It has been further stated in the affidavit that the aforesaid Sunil Bhalotiya had executed a fake GPA in his favour by using the fake ID of Chander Parkash Bhalotiya and misled the police. While further referring to para No.5 of the affidavit, the learned Additional Advocate General, Haryana further submitted so far as the present petitioner namely Misruddin is concerned, he was found to have committed the present fraud by producing a fake person namely Chander Parkash Bhalotiya and by way of impersonation the GPA was executed and that is why the petitioner was arrested on 30.04.2019 and rather his disclosure statement was recorded and he got demarcated the place of occurrence.

I have heard the learned counsel for the parties.

As per the learned Additional Advocate General, Haryana, the matter is still at the investigation stage and the allegations against the petitioner were that he had produced some fake person and caused impersonation. The allegations are pertaining to execution of fake GPA with regard to land and these are all disputed question of facts which can be seen only at the time of trial by way of adducing evidence.

Therefore, the present FIR cannot be quashed since it does not fulfill any of the parameters as laid down by the Hon'ble Supreme Court in the case of *State of Haryana and others Vs. Ch. Bhajan Lal and others*, [1992 SCC (Cr) 426].

Consequently, the present petition is dismissed.

20.09.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No