

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

111

CRM-M-7228-2023

Date of Decision: 10.02.2023

Iqbal Singh and Another

.....Petitioners

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nav Chahal, Advocate
for the petitioners.

DEEPAK GUPTA, J.

In case FIR No.127 dated 09.09.2013 registered at Police Station Division No.2, Ludhiana, Punjab, the two petitioners were directed to be charge-sheeted under Sections 420, 201/34 of the Indian Penal Code by the Court of Learned Judicial Magistrate 1st Class, Ludhiana vide order dated 04.10.2021 (Annexure P-4). Revision petition filed against this order was dismissed by Learned Additional Sessions Judge, Ludhiana vide order dated 05.01.2023 (Annexure P-2) against which this petitioner under Section 482 Cr.P.C. has been filed with prayer to quash the FIR.

Allegations against the petitioners are that they had issued two cheques bearing No.75772 dated 28.09.2012 of ₹10,00,000/-; and No.573642 dated 29.09.2012 of ₹9,00,000/- drawn on Punjab National Bank in favour of the complainant. On the pretext of giving the money in cash, they took the cheques from the complainant and erased their signature and account number from the cheques to destroy the proof, did not give the money, torn the cheques and threatened the complainant.

It is contended by the petitioners that it was a civil dispute, which was tried to be given a criminal colour and so, no prima facie case

was made out.

Having considered submissions of learned counsel for the petitioners, I find absolutely no merit in this petition.

Only a prima facie case is to be seen at the time of considering the charge. Evidence collected during investigation is to be scrutinized in such a manner to come to the conclusion as to whether ultimately conviction will be recorded or not.

No illegality or material irregularity has been committed by the Courts below in passing the impugned order.

As such, present petition is hereby dismissed.

February 10, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No