

CRM-M-10672-2022

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

CRM-M-10672-2022
Reserved on: 12.01.2023
Pronounced on: 18.01.2023

Nivesh Arora

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Isha Goyal, Advocate
for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

1. Aggrieved by denial of prayer to send the complaint to police station for registration of FIR based on an application filed under 156(3) CrPC by the complainant and the concerned Court treating the same as a complaint case, the petitioner has come up before this Court.
2. Counsel for the petitioner argued that forged stamp papers were used.
3. I have gone through the petition and specifically Annexure P-6 and Page 59 of the petition and although there are allegations of forged signatures not the allegations of using forged stamp papers. Furthermore, whether signatures were forged or not, is subject of proof and on the mere allegation it would not make out a case for sending the complaint to police station u/s 156(3) CrPC for registration of FIR in the absence of corroborative evidence. Any further discussion might seriously prejudice the case of the complainant as such this Court refrains from any further.
4. I have perused the application (Annexure P-10) and perusal of the same reveals that without inquiry it would not be expedient for the Magistrate to forward the complaint to police to register an FIR. Furthermore status report (P-11) also does not point out towards police taking the cognizance and registering the FIR. Relying upon the same, the concerned Judicial Magistrate treating the application as a complaint case does not suffer from illegality. The concerned order dated 12.02.2020 is detailed and calls for no interference.
5. Given above, the present petition stands dismissed. All pending applications, if any, stand disposed.

**(ANOOP CHITKARA)
JUDGE**

18.01.2023

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Whether speaking/reasoned: Yes

Whether reportable: No.