

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CRM-M-36982 of 2019 (O&M)
Date of decision: 27.03.2023

Gurmoinder Singh @ Dinki and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Karanjit Singh Brar, Advocate
for the non-applicant-petitioner no.4 and
applicant (in CRM-13151 of 2023).

Mr. Vishnav Gandhi, DAG, Punjab.

Mr. Bikramjit Singh Randhawa, Advocate
for the applicant (in CRM-4832, 4837, 4840 of 2020).

Mr. Tarun Sharma, Advocate
for the applicant (in CRM-8915 and 14249 of 2023).

ANIL KSHETARPAL, J(Oral)

1. On 15.11.2019, FIR No.314 dated 20.10.2017, registered under Section 420 of the Indian Penal Code at Police Station City Ferozepur, District Ferozepur and the consequential proceedings were quashed on the basis of settlement arrived at between the parties. In substance, there were allegations of the accused having duped the unemployed youth of the area while assuring them jobs in the government service. The petition was allowed as the first informant admitted the settlement.

2. Now different applications for recall of the aforesaid order have been filed alleging that the accused persons had duped a large number of such youths. The Senior Superintendent of Police after investigating also found that there are 20 such victims who have been duped by the accused.

3. Pursuant to the notice issued, the accused have filed a reply submitting that the amount which was received from the victims has been returned back to them. The learned counsels representing the applicants deny the aforesaid facts.
4. Without going into the correctness of the aforesaid competing claims between the applicants and the accused, this court is of the considered view that the order passed on 15.11.2019 is required to be recalled while giving opportunity to the prosecuting agency to proceed with the matter.
5. With these observations, the applications for recall are allowed.

MAIN PETITION

6. Taken on Board for final disposal.
7. In view of the stand taken by the applicants, there is no ground to quash the FIR and the subsequent proceedings.
8. Dismissed.
9. All the pending miscellaneous applications, if any, are also disposed of.

March 27, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*