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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-10812-2016 (O&amp;M)

Date of Decision: 13.05.2024

Rajesh Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Sumeetpal Singh Sidhu, Advocate,  
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Ashish Nagar, Advocate,  
for respondent No.2.

**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 482 of Code of Criminal Procedure, 1973 for quashing of FIR No. 05 dated 23.09.2015 registered under Sections 409, 420, 467, 471 and 120-B IPC at Police Station, NRI, District Kapurthala.

2. It is acknowledged by learned counsel for petitioner that Civil Suit No.CS/317/2014 titled as “***Rajesh Kumar Versus Surinder Kaur and another***” has already been partly decreed by the Court of Civil Judge (Junior Division), Phagwara vide judgement and decree dated 26.02.2019 and recovery of Rs.5 lac (earnest money) has been ordered to be refunded by defendant No.2, namely, Kaminder Pal Singh.

3. It is also acknowledged that an appeal against the aforesaid judgement & decree at the instance of petitioner is pending before the Court of learned Additional District Judge-I, Kapurthala for 02.07.2024.



- 4. In view of the above, this petition is disposed off with liberty to petitioner to raise his plea before learned trial Court, in accordance with law at appropriate stage.
- 5. The above observations be not construed as an expression of opinion on the merits of the case in any manner.
- 6. Pending application(s), if any, shall also stand disposed off.

13.05.2024  
SN/v

(MAHABIR SINGH SINDHU)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether Reportable: Yes/No