



CRM-M-44288-2016

-1-

258

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

CRM-M-44288-2016

Date of Decision:- 26.09.2024

Ajay Kumar Jangra

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Chandan Singh, Advocate and
Mr. Divij Dutt, Advocate
for respondent No. 3.

AMARJOT BHATTI, J.

1. Petitioner Ajay Kumar Jangra has filed petition under Section 482 Cr.P.C. for quashing of FIR No. 289 dated 04.04.2014 under Sections 406, 419, 420, 467, 468 and 471 of Indian Penal Code, 1860, registered at Police Station Civil Lines, Karnal (Annexure P-1) and for setting aside impugned order dated 20.08.2016 and order dated 28.10.2016 (Annexures P-2 and P-3 respectively) passed by learned Chief Judicial Magistrate, Karnal vide which he has been summoned to face trial in aforesaid FIR.

2. As per the facts of case, aforesaid FIR was registered on written complaint of Sarvjit Singh, who stated that Vijay Jangra was his partner

**CRM-M-44288-2016****-2-**

who used to take his car for work. He, without telling him sold his car bearing Registration No. HR-05-AD-4902 make Verna, colour Black, by forging his signatures. Complainant prayed that his car be returned from accused i.e. Vijay Jangra and strict legal action be taken against him for forging his signatures.

3. Learned counsel for petitioner argued that he is brother of Vijay Kumar Jangra. He was joined during investigation. Later on matter was compromised between the parties, as a result, Vijay Kumar Jangra filed CRM-M-4202-2016, titled “Vijay Kumar Jangra Versus State of Haryana and another” for quashing of aforesaid FIR and the High Court was pleased to quash aforesaid FIR vide order dated 02.08.2016, which is Annexure P-7. In the said petition, statement of complainant and accused were recorded by trial Court on 25.02.2016 in compliance to interlocutory order dated 05.02.2016, Annexure P-4. Application moved before trial Court for recording of statements on 25.02.2016 is Annexure P-5. Statement of complainant as well as statement of Vijay Kumar Jangra and Ajay Kumar Jangra were recorded, which is Annexure P-6. On the basis of said compromise, FIR was quashed vide order dated 02.08.2016 passed in CRM-M-4202-2016, which is Annexure P-7. However, said FIR was quashed only qua Vijay Kumar Jangra since he was petitioner and learned Chief Judicial Magistrate, Karnal issued notice to petitioner vide order dated 20.08.2016 to appear on 28.10.2016, which is Annexure P-2. Thereafter, as per order dated 28.10.2016 (Annexure P-3), his bailable warrants have been issued for 09.01.2017. Ultimately, petitioner has filed

**CRM-M-44288-2016****-3-**

present petition for quashing of aforesaid FIR qua him, as the matter was already settled with complainant Sarvjit Singh. It is submitted that present petition may be accepted by quashing aforesaid FIR.

4. Status report is filed by learned counsel representing State, confirming the aforesaid factual position.

5. During the pendency of present petition, Joginder Singh was arrayed as respondent No. 3, who filed his reply by way of additional affidavit, taking the stand that petitioner, his brother i.e. co-accused Vijay Kumar Jangra and respondent No. 2 Sarvjit Singh connived together and cheated him. Vijay Kumar Jangra procured order regarding quashing of FIR by misleading the Court. In fact, answering respondent is aggrieved person who paid ₹3,18,000/- to purchase the car and further spent ₹3,00,000/- for its repair. During investigation of case, all documents were taken by Investigating Agency. Under these circumstances, answering respondent could not use his car and same rendered scrap. Matter was brought to Investigating Agency. Despite this, he was arrayed as one of the witness. Answering respondent had approached petitioner who in return extended threats. He had approached the office of Superintendent of Police, Karnal with request to take action against guilty persons but till date no action has been taken. On the other hand, respondent No. 2 is sending notice/letter to him for transfer of car in his favour. It is argued that petition filed by petitioner for quashing of FIR is without merits and same deserves dismissal.

**CRM-M-44288-2016****-4-**

6. I have considered the arguments and have gone through the record carefully. As referred above, FIR No. 289 dated 04.04.2014, under Sections 406, 419, 420, 467, 468 and 471 of Indian Penal Code, 1860, Police Station Civil Lines, Karnal (Annexure P-1) was lodged on the statement of Sarvjit Singh, who is arrayed as respondent No. 2 in present petition. The facts narrated in FIR as referred above clearly indicates that Sarvjit Singh had levelled allegations against Vijay Kumar Jangra, his partner for selling his Verna car bearing Registration No. HR-05-AD-4902, by forging his signatures. Complainant wanted action against Vijay Kumar Jangra. Later on, matter was compromised and ultimately Vijay Kumar Jangra filed petition for quashing of aforesaid FIR and CRM-M-4202-2016 was decided vide order dated 02.08.2016 (Annexure P-7), vide which aforesaid FIR was quashed qua Vijay Kumar Jangra. Learned Chief Judicial Magistrate, Karnal issued notice to present petitioner to appear and face trial and also issued his bailable warrants. Copies of orders dated 20.08.2016 and 28.10.2016 are Annexures P-2 and P-3 respectively, which ultimately resulted into filing of present petition for quashing of FIR qua petitioner Ajay Kumar Jangra.

7. I have carefully perused the record of case bearing No. CRM-M-4202-2016, titled "Vijay Kumar Jangra versus State of Haryana and another", which clearly indicates that when statements were recorded before trial Court on the basis of compromise, then statement of Sarvjit Singh on the one hand and statements of Vijay Kumar Jangra and Ajay Kumar Jangra were also recorded, which are Annexure P-6.



CRM-M-44288-2016

-5-

Considering the aforesaid compromise and statements recorded before the trial Court bearing signatures of petitioner, respondent No. 2/complainant as well as Vijay Kumar Jangra, no purpose would be served with continuation of trial in FIR No. 289 dated 04.04.2014 under Sections 406, 419, 420, 467, 468 and 471 of Indian Penal Code, 1860, registered at Police Station Civil Lines, Karnal (Annexure P-1). Therefore, finding merits in present petition, aforesaid FIR (Annexure P-1) and subsequent proceedings arising thereon qua present petitioner Ajay Kumar Jangra are accordingly, quashed.

8. So far as Joginder Singh – respondent No. 3 is concerned, his version has not come forward in aforesaid FIR. In fact Sarvjit Singh – respondent No. 2 was the author of FIR who effected compromise with accused. Therefore, in case respondent No. 3 has any grievance against any of the person, then he is given liberty to proceed independently, as per law.

9. Petition is, accordingly, disposed of.

10. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

26.09.2024

*lalit***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No