

2024-PHHC-098914



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

CRM-M-40774-2020

Date of Decision : 31.07.2024

PARMINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Gopal Sharma, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

Mr. Lovish Arora, Advocate,
for respondent no.2.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.39, dated 25.02.2019, under Section 420 of the IPC, registered at Police Station Sadar Khanna, District Khanna (Annexure P-1), and also the final report filed dated 25.05.2019 (Annexure P-5), filed under Section 173 Cr.P.C., alongwith all the other consequential proceedings arising therefrom.

2. The issues which the learned counsel for the petitioner, has raised, are disputed question of facts, which cannot be adjudicated by this Court, specially, the issue that the agreement of sell is a result of fabrication. This issue requires adjudication after appreciation of

evidence so purported to be adduced by the prosecution at an appropriate stage of the trial.

3. Therefore, this Court is not inclined to grant the asked for relief (*supra*), in exercising its powers under Section 482 Cr.P.C. However, the petitioner is afforded a liberty to raise all such pleas, which have been raised through the instant petition, before the learned trial court concerned, at an appropriate stage.

4. In case such pleas are raised by the petitioner, the learned trial court concerned, is expected to deal with all such issues, after giving an adequate opportunity to the parties concerned.

5. **Disposed of** accordingly.

July 31, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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