



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-43047-2024 (O&M)
Date of Decision:-2.9.2024

Gian Chand ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Ankit Kundu, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking quashing of FIR (Annexure P-1) and all consequential proceedings emanating therefrom.
2. The allegations as levelled in the complaint are broadly to the effect that the petitioner was owner of about 35 kanals of land, which he had agreed to sell vide agreement dated 12.5.2021 (Annexure P-2) to the complainant for an amount of about Rs.8 Crores (approximately) and it was also agreed that in addition to the said amount of about Rs.8 Crores, the complainant would also get 267 kanals of land belonging to Sumer Singh transferred to the name of the petitioner.
3. The instant FIR has been lodged by the complainant with the allegations that although he had already paid an amount of Rs.6 Crores approximately out of the settled amount of about Rs.8 Crores and that he had also got 267 kanals of land transferred to the name of the petitioner, but the petitioner had failed to



perform his part of contract inasmuch he did not get the sale-deed in respect of his 35 kanals of land executed.

- 4. Learned counsel for the petitioner submitted that the FIR is based on false allegations inasmuch the complainant did not get the entire 267 kanals of land transferred in the name of the petitioner and that the petitioner himself had purchased the said property out of his own funds as would be evident from the transaction in his bank account, wherein transfer of the amount by the petitioner to Sumer Singh is duly reflected. It has further been submitted that the matter basically arises out of non-performance of the agreement to sell and in respect of which the complainant has already instituted a civil suit and that the instant FIR has been lodged after about 3 years just as a measure of pressurizing the petitioner.
- 5. I have heard learned counsel for the petitioner.
- 6. Since the FIR has recently been registered i.e. on 25.7.2024 and the matter is still under investigation, the instant petition is disposed of with a direction to the Investigating Officer concerned to examine the matter thoroughly from all aspects including the aspects recorded above.

2.9.2024
pankaj

(Gurvinder Singh Gill)
Judge

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