



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

CRM-M-10664-2025
Date of decision: 25.02.2025

GURMAIL RAM

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Parvinder Singh, Advocate
 for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under Section 528 Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 is for quashing of FIR No.0018 dated
31.01.2024 registered under Sections 406/420/447 IPC at Police Station
Phillaur, District Jalandhar Rural (Annexure P-1) and all the subsequent
proceedings arising therefrom.

2. Learned counsel for the petitioner *inter alia* contends that the
petitioner has not committed any offence. Further, the dispute between the
parties is purely civil in nature that has to be decided by the Civil Court and
the interference of the police authorities is absolutely wrong. He submits that a
civil suit is also pending between the parties qua the land in dispute. It is
contended that ingredients of Section 406 IPC are not made out against the
petitioner as there was no entrustment of the property to the petitioner.

3. Learned counsel for the petitioner, after arguing for some time,
wishes to withdraw the present petition and submits that the petitioner would
be satisfied in case all the documents, which are annexed with the present



CRM-M-10664-2025

-2-

petition, are considered by the Investigating Officer before submitting the final report under Section 173 Cr.P.C.

4. Mr. Sandeep Kumar, DAG, Punjab, puts in appearance on advance notice and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 173 Cr.P.C.

5. Present petition stands dismissed as withdrawn with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition, before preparing a final report under Section 173 of Cr.P.C.

6. It is clarified that in case a final report under Section 173 of Cr.P.C. is filed against the petitioner, the petitioner would be at liberty to file a fresh petition to challenge the FIR as well as the final report under Section 173 Cr.P.C. (Now Seciton 193 B.N.S.S.)

February 25, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No