

**CRM-M-19131-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Case No. : CRM-M-19131-2025****Pronounced On : September 02, 2025**

Major (Retd.) Charanjit Singh Rai Petitioner

vs.

State of UT, Chandigarh and others Respondents

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. R. S. Athwal, Advocate
for the petitioner.Mr. Balram Singh, Additional PP
for respondent – UT, Chandigarh.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for quashing the order dated 18.12.2024, passed by Additional Sessions Judge, UT, Chandigarh and order dated 29.07.2022, passed by Illaqa Magistrate/Judicial Magistrate 1st Class, UT, Chandigarh and for issuance of directions to respondents no.1 to 3 to register an FIR under Sections 195, 464, 465, 468, 471, 34 IPC against respondents no.4 to 9.

Briefly, the facts of the present case are that the petitioner filed a petition under Section 156(3) Cr.P.C. before the Court of learned Chief Judicial Magistrate, Chandigarh, for issuing directions to respondents No. 1 to 3 to register a case under Sections 195, 464, 465, 468, 471 read with Section 34 of IPC against one Ramnik Singh and others, for forging



signatures of trustees of Montgomery Guru Nanak Educational Trust (hereinafter referred as “ MGN Trust”) on a petition and using said petition for filing **CWP No. 14260 of 2020** before this Court.

The petitioner stated in the aforesaid petition that he is a life Trustee of MGN Trust, Jalandhar and presently, is Chairman of the same. The aforesaid writ petition i.e. **CWP-14260-2020** titled as **Jarnail Singh Pasricha and others vs. State of Punjab and others** was filed on behalf of six persons including Jarnail Singh Pasricha and Sudershan Singh Bains. The prayer in the said petition was for staying of operation of orders and email dated 04.09.2020, for removal of Sudershan Singh Bains. It was also prayed that meeting to be held on 14.09.2020, for electing fresh Life Trustee of MGN Trust, may also be stayed. The said petition had been signed and verified by all the six persons including Jarnail Singh Pasricha and Sudershan Singh Bains on 06.09.2020. Along with the petition, a *Vakalatnama* was also filed, which had been signed by said persons on 06.09.2020 and an affidavit in support of said petition was filed by Ramnik Singh, one of those petitioners. Another affidavit dated 07.09.2020 was filed by said Ramnik Singh, showing that all the said persons including Jarnail Singh Pasricha and Sudershan Singh Bains were in Chandigarh on 06.09.2020 and 07.09.2020. It was further alleged in the said petition that in fact, Sudershan Singh Bains was in Canada on 06.09.2020 and therefore, he had been impersonated by a person, who signed and verified the petition on his behalf. Moreover, signatures of said Sudershan Singh Bains on said petition and *Vakalatnama* did not tally with each other and were completely different. Similarly, Jarnail Singh Pasricha is an old person, who is suffering



from Parkinson's disease and is not able to sign with stable hands. Even otherwise, signatures of Jarnail Singh Pasricha on the petition, *Vakalatnama* enclosed with the same and his other admitted signatures, do not tally with each other. Even a layman can point out difference in signatures of Jarnail Singh Pasricha on the petition and *Vakalatnama*. It was, therefore, alleged that the said writ petition filed before this Court was result of forgery and forged and fabricated documents had been used by Ramnik Singh to file the petition, besides tendering affidavit in support of the same. The petitioner also placed on record the relevant documents i.e. certified copies of writ petition, *Vakalatnama*, affidavit tendered by Ramnik Singh and Board proceedings having admitted signatures of Jarnail Singh Pasricha, copy of civil suit bearing admitted signatures of Sudershan Singh Bains etc.

From the documents placed on record, it transpired that signatures of Sudershan Singh Bains and Jarnail Singh Pasricha had been forged and fabricated on the petition and on the *Vakalatnama* as well, which had been used by Ramnik Singh and his accomplices to file the writ petition. A criminal complaint in this regard was filed before Senior Superintendent of Police, Chandigarh on 15.06.2021, which was forwarded for investigation. From the averments made in the said complaint dated 15.06.2021, cognizable offence was made out against accused persons and police was required to register an FIR, as per law but no action was taken by the police despite repeated requests. It was further submitted that since the documents, required to be produced, were with this Court, the same could not be procured by the police without intervention of the Court. Therefore, it was required that a case be registered against accused persons and a request be



made to this Court to supply said documents for comparison of signatures of Sudershan Singh Bains and Jarnail Singh Pasricha on the petition with their admitted signatures.

Upon presentation of petition, Status Report was sought from concerned Police Station by learned Chief Judicial Magistrate, Chandigarh, which was received on 27.05.2022. After hearing learned counsel for petitioner-complainant and going through documents on record, learned Magistrate declined the said petition filed under Section 156(3) Cr.P.C. and ordered to treat the same as a complaint vide impugned order dated 29.07.2022. On the same day, the complainant, who was present in person, was examined as CW-1 in preliminary evidence.

Feeling aggrieved by said order dated 29.07.2022, the petitioner preferred revision petition for setting aside the said order dated 29.07.2022 and issuing directions to the respondents to register an FIR against Ramnik Singh and others. However, the said revision petition also met the same fate and was dismissed by the Court of learned Additional Sessions Judge, Chandigarh vide order dated 18.12.2024.

Still feeling dis-satisfied by the orders passed by the Courts below, the petitioner has approached this Court for quashing the aforesaid orders dated 18.12.2024, passed by Additional sessions Judge, UT, Chandigarh and order dated 29.07.2022, passed by Judicial Magistrate 1st Class, Chandigarh.

Learned counsel for the petitioner contended that the order of learned Judicial Magistrate 1st Class, Chandigarh is solely based on the finding that administration of justice could not be used to harass a person merely on the allegations, unless supported by evidence, which is contrary to



the record. From the contents of the complaint, a prima facie case of cognizable offence was made out, for which an FIR was required to be registered in this case. So, the learned Magistrate should have directed the police to register an FIR in this case. The Courts below ignored the fact that the offence in question is of such a nature that requires thorough investigation to bring on record as to who had impersonated Sudershan Singh Bains and had forged his signatures upon the petition and *Vakalatnama*. The Courts below have also not appreciated the fact that Sudershan Singh Bains was not in India on 06.09.2020 and he had not signed the petition. The learned Magistrate has wrongly denied the petition filed under Section 156(3) Cr.P.C. and wrongly ordered the same to be treated as complaint.

Learned counsel appearing for UT, Chandigarh, per contra, submitted that once the preliminary evidence had been recorded by learned Magistrate, petition under Section 156(3) Cr.P.C. was no more maintainable and after recording the preliminary evidence, even the said complaint had been dismissed without summoning the accused. So, once the complaint filed by the petitioner had been dismissed on merits, vide order dated 24.11.2023, then there was no question of directing the learned Magistrate to re-consider the petition under Section 156(3) Cr.P.C.

It has been held by learned Additional Sessions Judge, Chandigarh, in his order dated 18.12.2024 that Status Report was called by learned Magistrate, wherein it was alleged that during the course of inquiry, statement of Jarnail Singh Pasricha was recorded and he never denied his signatures on the petition and *Vakalatnama*. Rather, he also proved



signatures of Sudershan Singh Bains on the same by claiming that Sudershan Singh Bains had signed the petition while leaving for Canada in March, 2020 itself and subsequently, due to COVID-19 outbreak, it was submitted online. The said petition could not be filed immediately due to lock-down and restrictive functioning of the Court due to COVID-19 outbreak and the same could be filed only on 08.09.2020. Both - Jarnail Singh Pasricha and Advocate Sameer Sachdeva proved that petition and *Vakalatnama* were signed by Jarnail Singh Pasricha and Sudershan Singh Bains themselves and not by some impersonator as claimed by the petitioner. Sudershan Singh Bains could not join the inquiry proceedings before the police, being out of country but he sent an email dated 15.09.2021 and he never disputed his signatures on petition and *Vakalatnama*. The aforesaid persons never approached the Court to claim that their signatures had been fabricated by someone else. It has also been observed in the order dated 18.12.2024 of learned Additional Sessions Judge, Chandigarh that it is evident from the record that the petitioner and proposed accused persons are Trustees of MGN Trust and already, multiple litigation is going on between them seeking control over the Trust and its funds. It has been rightly observed that petition under Section 156(3) Cr.P.C. seems to have been filed by the petitioner just to harass the proposed accused persons and to pressurize them to tow his line. Moreover, the petition under Section 156 (3) Cr.P.C. was ordered to be treated as a complaint by learned Magistrate and after recording the preliminary evidence, the complaint filed by the petitioner was dismissed on merits vide order dated 24.11.2023.



In view of the position explained above, the impugned orders i.e. order dated 18.12.2024, passed by Additional Sessions Judge, UT, Chandigarh and order dated 29.07.2022, passed by learned Judicial Magistrate 1st Class, UT, Chandigarh, do not appear to be suffering from any illegality or infirmity. The present petition, being devoid of any merit, is accordingly dismissed.

September 02, 2025

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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.