



CRM-M-3893-2017

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

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**CRM-M-3893-2017
Decided on: 02.07.2025**

Vikram Singh Nehra

...Petitioner

Versus

Dharambir Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. K.D.S. Hooda, Advocate
for the petitioner.Mr. Sanchit Puri, Advocate
for respondent No.1.Ms. Puneeta Sethi, Sr. Panel Counsel with
Mr. Y.S. Thakur, Advocate
for respondent No.2.

ANOOP CHITKARA, J.

1. Seeking initiation of criminal proceedings under section 340 CrPC for filing wrong affidavit in this court to protect an accused, the petitioner had come up before this Court by filing the present petition under Section 340 CrPC in the year 2017.
2. The petitioner claims to be a complainant in FIR No.62 dated 25th December 2015 under sections 420, 467, 465, 468, 471 r/w 120B IPC registered at police station Cantt, Firozpur district Ferozepur, Punjab.
3. Being dissatisfied with the investigation, the petitioner filed a direction petition before this court which was registered as CRM-M-35065 of 2014. The allegations leveled by the petitioner in the FIR were that Jai Bhagwan-respondent No.6 in the said direction petition, had forged his driving license for heavy transport vehicle and got himself selected as a civilian driver (MTD) in Air Force at Air Force Station Sirsa on 3rd May 1994. Petitioner applied under RTI and got details and after that, on realizing that the driving license was forged, he had filed a complaint.
4. The petitioner's grievance is that in the reply filed on behalf of respondents No.1 to 5, the then DSP Dharamvir Singh, City Sirsa, had gone out of way to help respondent No.6 to save him from punishment and he filed a false affidavit in this court in the said petition for fair investigation and as such, he be prosecuted Under Section 340 CrPC.



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5. The petitioner has annexed the following documents in the present petition under 340 CPC:

Annexure C1- Representation from Vikram Singh, Advocate.

Annexure C2- Matriculation certificate

Annexure C3- Letter written from District Transport Officer, Ferozepur to Deputy Superintendent of Police, Sirsa regarding verification of driving license, in which it was mentioned that the driving license was wrong as per their record.

Annexure C4- Report made by DTO Ferozepur mentioning an account number in name of Jai Bhagwan, which was also found to be fake.

Annexure C5 -the statement of Hankanwal Singh-Clerk-cum-Data Operator, which was made to the police.

6. In addition to that, nothing has been annexed. There is no document that shows how the court was influenced by forgery of the document. If a document is forged, there is a criminal prosecution under Indian Penal Code. To proceed under Section 340 CrPC, the requirements are absolutely different. No order has been annexed which was obtained from this court by filing false affidavit and had caused prejudice to anyone else, including the petitioner. In fact, respondent had filed a reply in which he has annexed the copy of the order passed by this Court on 22nd May 2019 in CRM-M-35065-2014 titled as **Vikram Singh Nehra versus State of Haryana and others** as Annexure R-2/2. The said order passed by the Coordinate Bench of this court, reads as follows:-

“Prayer in this application filed under Section 482 CrPC is to recall the order dated 09.12.2016 passed by this Court.

Vide order dated 09.12.2016, this Court dismissed the petition finding the driving licence issued to respondent No.6 as valid. If the petitioner is so aggrieved against the said order, he has the remedy(s) to avail.

No ground for interference is made out.

Dismissed.”

7. Given above, the petition neither met the requirement of 340 CrPC and purposefully concealed the order, which was annexed by private respondent. In the entirety of facts and circumstances, this Court does not deem it appropriate to proceed further in this matter.

8. Petition is dismissed. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

02.07.2025

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Whether speaking/reasoned: Yes

Whether reportable: No.