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

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Date of decision : 29.07.2025

Ajaib Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Sandeep S. Majithia, Advocate for petitioner.

Mr. Kunwarbir Singh, Assistant A.G., Punjab.

Mr. Ramandeep, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

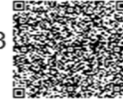
1. Petitioner-Ajaib Singh filed petition under Section 482 Cr.P.C. for quashing of FIR No.113 dated 09.05.2023 (Annexure P-1), under Sections 354, 354-A, 354-D, 509 of IPC (Section 354-B of IPC was added later on), registered at Police Station Patran, District Patiala or any other direction which the court may deem fit and proper in the given facts and circumstances of the case.

2. As per the facts narrated in FIR No.113 dated 09.05.2023 (Annexure P-1), Gurpiyar Kaur gave her statement that she was married to Gurjant Singh, resident of Hariyou Kalan on 24.02.2014. On 01.05.2023, she was going to the house of her uncle-in-law, namely Balwinder Singh at about 9/10 PM, Krishan, Akashdeep Singh and Ajaib Singh (present petitioner) along with two unknown persons were standing in the street. She already knew Krishan, Akashdeep Singh and Ajaib Singh. Ajaib Singh raised a *lalkara* to caught hold of her and to malign her image. Krishan ran towards her and grabbed her arm, whereas Akashdeep



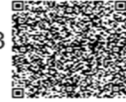
Singh removed her *chunni* from her head. When she protested, Ajaib Singh and unknown persons started making obscene gestures towards her. She hurriedly went inside the house of Balwinder Singh, younger brother of her father-in-law in order to save her honour. She did not talk to anybody. Later on, she was told by the ladies living in the neighbourhood that her posters have been affixed on the wall of government school and poles. On the said posters, there were comments regarding her affair and cheating him and it was further proclaimed that she was also having relationship with Dilpreet and others. It is further proclaimed that her photographs can also be produced. In this manner, she was defamed in the village. Reason behind this occurrence was that Krishan performed court marriage with her cousin Arshdeep Kaur. The dispute had started between the two families where her husband Gurjant Singh had tried to effect compromise. In that connection, her husband had altercation with Krishan, Akashdeep Singh and Ajaib Singh. With these allegations, present FIR was registered.

3. Learned counsel for petitioner raised the issue that all allegations levelled against him are false and without any basis. He is an old man of 58 years of age. This FIR is counterblast to the other dispute i.e. complaint filed by Ajaib Singh against Ranbir Singh and others under Section 156(3) Cr.P.C. (Annexure P-2). Husband of respondent No.2 is also involved in another FIR No.58 dated 07.05.2022, under Sections 365, 506, 34 of IPC, Police Station Dirba, District Sangrur. Civil litigation also started between the parties. There is unexplained delay of 08 days in lodging the report to the police. No proper investigation was carried out by the police. There were several CCTV cameras installed in front of

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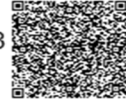
the houses in the street and the police did not make any effort to collect the said CCTV footage. One pen drive containing CCTV footage is Annexure P3, which clearly shows that CCTV cameras are installed in the said area. In fact, petitioner was not present in the village at the time of said occurrence and this fact could have been verified from his call detail record. There is biased investigation carried out by the police. The Call Detail Record (CDR) of investigating officer is also preserved with the orders of court. Initially application filed by petitioner was declined by learned Judicial Magistrate, Samana vide order dated 14.05.2024 (Annexure P-6). Revision against said order was allowed vide order dated 03.08.2024 (Annexure P-7). Accordingly, said record has been preserved. The accused against whom there was allegation that he pulled *dupatta* of alleged victim was found innocent by the police and accordingly he was not challaned. Present FIR is the result of earlier dispute and to settle the score. Continuation of trial is gross misuse of the procedure of law. It is submitted that FIR No.113 dated 09.05.2023 (Annexure P-1), under Sections 354, 354-A, 354-D, 509 of IPC (Section 354-B of IPC was added later on), registered at Police Station Patran, District Patiala along with challan (Annexure P-5) and all other consequential proceedings arising thereon may kindly be quashed.

4. Petition is opposed by learned counsel representing State of Punjab. In the status report, facts narrated in the FIR are confirmed. Petitioner was joined in investigation on 28.05.2023. Akashdeep Singh filed one application bearing No.5001 dated 16.05.2024 regarding his innocence and after due inquiry, he was found innocent. On completion of investigation, Ajaib Singh (present petitioner) and accused Krishan were challaned on 14.12.2023. As per status report, charges

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are yet to be framed. There are specific serious allegations against the petitioner. Therefore, petition filed by petitioner seeking quashing of FIR is without merits and the same deserves dismissal.

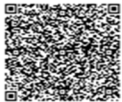
5. Learned counsel representing respondent No. 2 also filed written reply supporting the allegations levelled against petitioner. It is pointed out that present petitioner had filed application to Senior Superintendent of Police Sangrur for inquiry in the matter and using his influence, the inquiry was entrusted to Deputy Superintendent of Police (D), Sangrur. Respondent gave representation to Inspector General of Police, Patiala and on her request, the inquiry was withdrawn from said Deputy Superintendent of Police (D), Sangrur and was entrusted to Deputy Superintendent of Police (Traffic), Patiala vide order dated 31.05.2023 (Annexure R-2/1). After due inquiry and considering facts and circumstances of the case, it was concluded that petitioner along with other co-accused had committed the offence and accordingly on completion of investigation, they were challaned in this FIR. Regarding delay in lodging the report to the police, it is pointed out that initially, answering respondent did not report the incident for the sake of her dignity and honour. However, when her posters were affixed in the village, she lodged the present FIR. It is conceded that another FIR No.58 dated 07.05.2022, under Sections 365, 506, 34 of IPC, Police Station Dirba, District Sangrur was registered against her husband. Later on, said FIR was quashed by the Hon'ble High Court vide order dated 21.12.2023, Annexure R-2/2. The Deputy Superintendent of Police (Traffic), Patiala, thoroughly conducted inquiry and confirmed the occurrence which had taken

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place. Present petition filed by petitioner is without merits and the same deserves dismissal.

6. I have considered the arguments advanced before me and have gone through the documents annexed with this petition. FIR No.113 dated 09.05.2023 (Annexure P-1) was registered on the statement of Gurpiyar Kaur. She has narrated the incident of 01.05.2023 when present petitioner along with other co-accused outraged her modesty on her way while going to the house of Balwinder Singh. Thereafter, her posters were affixed in the village levelling allegations on her character. Thereafter she lodged the report to the police, on the basis of which FIR was registered. So far as delay in lodging the FIR is concerned, the same is explained in the FIR itself. Present petitioner Ajaib Singh is specifically named and specific role is attributed to him. Complainant/respondent No. 2 has also explained the previous enmity between the families. The investigation was carried out and finally challan (Annexure P-5) is presented against petitioner along with co-accused on 14.12.2023. The points raised by learned counsel for petitioner regarding enmity; delay in lodging the report; for not conducting proper investigation by the investigating agency are matter of trial which can be adjudicated by learned trial Court on the basis of evidence led by prosecution and the defence raised by petitioner.

7. Considering the aforesaid factual position, it is not appropriate to quash the FIR when challan is already presented. As per status report, case is pending for consideration on framing of chargesheet. In the light of this, I do not find merits in the petition filed by petitioner seeking quashing of FIR,



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presentation of challan and consequential proceedings arising therefrom and the same is accordingly declined.

However, it is made clear that my above observations are for the disposal of present petition and it will have no bearing on the merits of the trial.

- 8. Petition is accordingly disposed of.
- 9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

29.07.2025.
Sunil Devi

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