



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-28912-2025

Date of Decision:-28.08.2025

Manpreet Singh.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Abhinav Madan, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Davinderbir Singh, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 528 of BNSS is for quashing of impugned FIR No.0186 dated 11.07.2024 under Section 329(3), 62, 351(2), 3(5) of BNS, 2023 registered at P.S. Sadar, Kharar District SAS Nagar, Mohali as well as Challan dated 24.12.2024 (Annexur eP-6) and all other consequential proceedings/subsequent proceedings arising out of the aforesaid FIR.

2. The brief facts of the case are that the FIR came to be registered at the instance of Baljinder Singh and reads as under:-

“ Statement of Baljinder Singh son of late Mr.Sohan Singh resident of House no 500 phase 10 Mohali Police Station Phase 11 Mohali District SAS Nagar aged about 57 Years Mobile No 97806-37116 of of declared that I am a resident of said address working as a private secretary at Punjab civil secretariat Chandigarh. My ancestral land at village Majat and adjoining land is of kuldeep kaur w/o Napinder singh, Gurpreet Singh son Napinder Singh,



Amanpreet Kaur daughter Napinder Singh s/o Anokh Singh resident village Todermajra Tehsil Kharar District S.A.S Nagar purchased their occupied land 3 kanal 18 Marla land in the year 2016 who at the same time gave me possession of the said land purchased of from their possession. Along-with the land purchased by me, the land of Manpreet Singh son of late Sukhwinder Singh, Sukhdarshan Singh son of Harchand Singh, Jaspreet Singh son of Rajinder Singh, Randeep Singh son of Rajinder Singh of village Majatari is also located with which the land purchased by me is having a Mustarka Khata and the partition is yet to be done but Manpreet Singh, Sukhdarshan Singh, Jaspreet Singh and Randeep Singh in my absence on dated 09.07.2024 an attempt has been made to occupy about 2 Kanals of my occupied land by plowing it. When I tried them from doing this, they started to stop threatening to kill me and said that whatever you want to do you can do, we will do like this. I have written down the said statement before you. Appropriate action should be taken against Manpreet Singh, Sukhdarshan Singh, Jaspreet Singh and Randeep Singh. The Statement is read and heard Sd/ Baljinder Singh Singh."

3. Pursuant to the conclusion of the investigation the report under Section 173(2) Cr.PC was presented in the court on 24.12.2024.
4. Thereafter the instant petition has been filed challenging the FIR and the final report.
5. The Counsel for the petitioner contends that as per the contents of the FIR the occurrence allegedly took place on 09.07.2024. However, while referring to the photocopy of his passport attached as Annexure P-4 he contends that the petitioner had departed from the International Airport at Delhi on 5.7.2024 and had entered New Zealand on 7.7.2024 and therefore, the question of committing the offence on 09.07.2024 does not arise. He, therefore, prays that the FIR and the consequential proceedings arising therefrom be quashed.
6. The Counsel for the State has filed a status report by way of affidavit dated 10.08.2025 of Mr. Karan Singh Sandhu, PPS, DSP, Sub



Division Khara-1, District SAS Nagar in the court today, which is taken on record. On information received from official sources he states that the date of departure of the petitioner was 5.7.2024 and he has come back to India thereafter only in November 2024.

7. The Counsel for the complainant on the other hand, contends that the allegations against the petitioner stand established beyond doubt. The plea of alibi can only be considered at the time of Trial. Therefore, the present petition is liable to be dismissed.

8. I have heard counsel for the parties.

9. A perusal of the photocopy of the passport of the petitioner would establish that he departed from India on 5.7.2024 and entered New Zealand on 7.7.2024. The said fact has been ascertained and found to be correct by the counsel for the State. In this view of the matter, the question of the presence of the petitioner on 9.7.2024 at the place of occurrence does not arise and therefore the plea of alibi stands duly established.

10. Therefore, the present petition is allowed and FIR No.0186 dated 11.07.2024 under Section 329(3), 62, 351(2), 3(5) of BNS, 2023 registered at P.S. Sadar, Kharar District SAS Nagar, Mohali as well as the Challan dated 24.12.2024 (Annexure P-6) and all other consequential proceedings/subsequent proceedings arising out of the aforesaid FIR stand quashed.

(JASJIT SINGH BEDI)
JUDGE

August 28, 2025
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No