



221 (2nd case)

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

CRM-M No.43974 of 2024 (O&M)

Date of decision: 15.01.2025

Balwinder Singh

... Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab for respondent No.1.

Mr. Varun Jain, Advocate for respondent No.2/complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for quashing of FIR No.395 dated 02.12.2023, under Sections 419, 420, 465, 467, 468, 471 & 120-B of the Indian Penal Code, 1860; Section 82 of the Registration Act, 1977, registered at Police Station Tripuri, District Patiala.

(2) Above FIR was registered by *de facto* complainant/respondent No.2-Manoj Kumar with the allegations that petitioner in connivance with

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other co-accused had played a fraud on the pretext of selling a plot, measuring 162 sq. yds., situated at Friends Colony, Tafazalapur.

(3) Reply dated 13.01.2025 on behalf of respondent No.2/complainant has been filed. The same is taken on record. Copy thereof supplied to learned State Counsel. Registry to tag the affidavit at appropriate place.

(4) Perusal of para 2 of the aforesaid reply reveals that pre-arrest bail of the petitioner has been declined by Hon’ble the Supreme Court and P.O. proceedings are going on against him.

(5) Case called twice; but no one has come forward on behalf of the petitioner. Therefore, there is no option except to dismiss the petition for non-prosecution.

(6) Ordered accordingly.

15th January, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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