



CRM-M-8363-2024

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

Sr. No.163

CRM-M-8363-2024

Date of Decision:16.03.2026

BALWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Navjot Narang, Advocate
for the petitioner.

MANDEEP PANNU, J. (Oral)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 265 dated 27.10.2018, registered under Section 379-B IPC at Police Station Sohana, District SAS Nagar (Mohali), as well as the final report submitted under Section 173 Cr.P.C. dated 26.03.2019, and also the order framing charges dated 10.02.2022 passed by the learned Trial Court.

2. The petitioner, by way of the present petition, has sought the quashing of the aforesaid FIR, mainly on the ground that the FIR was registered on the basis of secret information received by the police to the effect that the petitioner was allegedly forcibly taking away or snatching mobile phones in the area of Mohali/Chandigarh. It was further alleged in the said information that the petitioner along with the co-accused, Arnav Raj could be apprehended red-handed with the stolen mobile phones.

3. Acting upon the said secret information, the petitioner along with the co-accused was apprehended and upon their search, one black tablet



of make Lenovo was recovered from the possession of the present petitioner. Accordingly, the present FIR came to be registered under Section 379-B of the Indian Penal Code.

4. Learned counsel for the petitioner has submitted that there is no eyewitness to the alleged occurrence and that the said tablet belongs to the petitioner himself.

5. Notice of motion.

6. Mr. H.S. Wadhwa, DAG, Punjab accepts notice on behalf of the respondent-State and opposed the present petition and submitted that the tablet of make Lenovo was recovered from the possession of the petitioner, and it is a matter of evidence to be established during trial as to whether the petitioner is the owner of the said tablet or not. It has further been submitted that no document has been placed on record by the petitioner to establish his ownership over the said tablet, which was allegedly recovered from his possession during the course of investigation.

7. I have heard learned counsel for the parties and have gone through the record carefully.

8. The present petition for quashing of the FIR is liable to be dismissed for the reason that the challan in the present case has already been presented and charges have also been framed against the petitioner for the offence punishable under Section 379-B IPC. There are specific allegations against the petitioner that he was found in possession of one stolen black tablet of make Lenovo, whereas two mobile phones were also recovered from the possession of the co-accused.



9. Whether the said tablet actually belongs to the petitioner or not is essentially a matter of evidence, which can only be adjudicated during the course of trial. Merely because there is no eyewitness to the occurrence, the FIR cannot be quashed at this stage, particularly when the investigation has been completed and the trial has already commenced.
10. It is well settled that the inherent powers under Section 482 Cr.P.C. are to be exercised sparingly and only in cases where the allegations do not disclose the commission of any offence. In the present case, the allegations contained in the FIR as well as the material collected during investigation *prima facie* disclose the commission of an offence, and therefore this Court finds no ground to interfere in the matter.
11. Accordingly, the present petition stands dismissed.
12. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.
13. All pending applications, if any, also stand disposed of.

16.03.2026
Anu

(MANDEEP PANNU)
JUDGE

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