



CRM-M-7386-2026

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

CRM-M-7386-2026

Reserved on:-11.03.2026

Pronounced on:-12.03.2026

Uploaded on:- _____

*Whether only operative part of the judgment is
Pronounced or the full judgment is pronounced: operative part/full judgment*

DALWINDER SINGH AND ANOTHER**...Petitioners****Versus****STATE OF PUNJAB AND ANOTHER****....Respondents****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Gursimran S. Bawa, Advocate
for the petitioners.

Mr. H.S. Wadhwa, DAG, Punjab.

MANDEEP PANNU, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 111 dated 14.08.2025 registered under Sections 420, 506 and 120-B of the IPC at Police Station Sirhali, District Tarn Taran.

2. The brief facts of the case are that the marriage of the complainant Gurtej Singh was solemnized with Arsh Kaur, daughter of petitioner No.1 Dalvinder Singh and petitioner No.2 Rajwinder Kaur, on 07.06.2023. As per the case of the prosecution, after the marriage, Arsh Kaur expressed her desire to go abroad and the complainant assisted her in pursuing a P.T.E. course. After clearing the said course, Arsh Kaur was sent to Canada by the complainant by spending a substantial amount of money. It



is alleged that the complainant spent about ₹26–27 lakhs for sending Arsh Kaur abroad. It is further alleged that after reaching Canada, Arsh Kaur stopped communicating with the complainant and his family members. She allegedly removed the photographs with the complainant from her social media accounts, changed her surname on social media platforms and created another account. It is alleged that she started avoiding the complainant and even changed her residence at the place where arrangements had earlier been made for her stay. The complainant thereafter contacted the family members of Arsh Kaur and with their consent even purchased an air ticket dated 24.12.2024 worth about ₹1,10,000/- to bring her back to India for the purpose of court marriage. However, on 13.12.2024 Arsh Kaur allegedly blocked the complainant and his family members from contacting her. Thereafter, on 25.12.2024 the complainant along with the maternal uncle of Arsh Kaur went to Amritsar airport to receive her but she did not arrive. It is further the case of the prosecution that thereafter a panchayat was convened on 29.12.2024 in the village of the petitioners, wherein the complainant requested that either Arsh Kaur be sent back to him or the money spent by him be returned. However, it is alleged that the petitioners misbehaved with the complainant and refused to resolve the matter. It is also alleged that petitioner No.1 Dalvinder Singh threatened the complainant over phone calls.

3. Subsequently, the complainant moved an application before the police authorities alleging that the petitioners and their daughter Arsh Kaur had cheated him and had fraudulently taken money from him on the pretext of marriage and sending Arsh Kaur abroad. After conducting an inquiry into



the matter, the police authorities found the allegations to be substantiated and concluded that the accused persons, in connivance with each other, had committed fraud of about ₹27 lakhs with the complainant. Accordingly, FIR No.111 dated 14.08.2025 under Sections 420, 506 and 120-B IPC was registered at Police Station Sirhali, District Tarn Taran against the petitioners and their daughter Arsh Kaur.

4. Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case and that the allegations levelled in the FIR are vague and do not disclose the commission of any offence against them. It is submitted that a bare perusal of the FIR would reveal that there are no specific allegations against the petitioners that they compelled the complainant to send their daughter abroad or that they had any dishonest intention from the very beginning. It is further contended that the only allegation against the petitioners in the FIR is that after their daughter went abroad, they allegedly misbehaved with the complainant during a panchayat held on 29.12.2024 and petitioner No.1 allegedly threatened the complainant on phone calls thereafter. Learned counsel submits that even if the allegations are taken at their face value, the essential ingredients of the offences under Sections 420, 506 and 120-B IPC are not made out against the petitioners. Learned counsel further argues that the complainant himself had studied only up to matriculation and was about 9–10 years older than Arsh Kaur. At the time of marriage, it was allegedly decided between the parties that Arsh Kaur would first go to Canada and thereafter she would call the complainant abroad. However, after Arsh Kaur went abroad on 28.07.2024, a dispute arose between the complainant and his



elder brother regarding property and due to the said dispute the complainant dropped his plan to go abroad and asked Arsh Kaur to return to India, which led to the present dispute. It is also submitted that the challan in the present case has already been presented by the prosecution and even in the challan the only role attributed to the petitioners is that they allegedly misbehaved with the complainant. It is thus contended that the continuation of criminal proceedings against the petitioners would amount to a gross abuse of the process of law.

5. Learned State counsel has opposed the present petition and submitted that the present FIR has been registered after conducting a detailed inquiry by the competent authorities. It is argued that during the inquiry as well as investigation, statements of the concerned persons were recorded and the allegations made by the complainant were found to be substantiated. Learned State counsel further submits that the complainant Gurtej Singh had spent a substantial amount of about ₹27 lakhs in sending his wife Arsh Kaur abroad and the present petitioners, in connivance with the main accused Arsh Kaur, had duped the complainant of the said amount. It is further contended that in the present case charges have already been framed against the petitioners after finding a *prima facie* case against them and therefore the allegations raised by the petitioners are matters of trial which cannot be adjudicated upon in the present proceedings. It is thus argued that the FIR cannot be quashed merely on the basis of the contentions raised by the petitioners.

6. I have heard learned counsel for the parties and have perused the record. The record reveals that the present FIR was registered only after



a detailed inquiry was conducted by the concerned authorities. During the inquiry proceedings, the complaint submitted by Gurtej Singh was examined and his statement was recorded. The matter was thereafter forwarded to the SP (Investigation), Tarn Taran for further proceedings. Upon examining the complaint, documents and statements of the concerned persons, the SP (Investigation) concluded that the allegations made by the complainant were substantiated and that Arsh Kaur along with the present petitioners, namely Dalvinder Singh and Rajwinder Kaur, had jointly committed fraud of an amount of ₹27 lakhs with the complainant. Consequently, registration of an FIR under Sections 420, 506 and 120-B IPC was recommended.

7. The record further reflects that during the inquiry and subsequent investigation, the complainant Gurtej Singh was included in the proceedings and his statement was recorded. The investigating authorities examined the relevant material and supporting documents before arriving at the conclusion that a cognizable offence was made out against the accused persons. Even the Senior Superintendent of Police, Tarn Taran, after examining the inquiry report and the supporting material, agreed with the findings of the investigating officer and directed that the FIR be registered and investigated in accordance with law.

8. At this stage, it cannot be ignored that the allegations against the petitioners are not merely bald assertions but are supported by the inquiry conducted by the competent authorities. The material collected during the inquiry *prima facie* indicates that the petitioners acted in connivance with the main accused Arsh Kaur in duping the complainant of a substantial amount of ₹27 lakhs. The petitioners have not specifically denied



the fact that the complainant had spent a substantial amount in sending Arsh Kaur abroad; rather, their primary contention is that they never compelled the complainant to send their daughter abroad. However, such pleas relate to disputed questions of fact which can only be examined during the course of trial.

9. It is well settled that the inherent jurisdiction of this Court for quashing of an FIR is to be exercised sparingly and only in cases where the allegations made in the FIR do not disclose the commission of any offence or where the proceedings are manifestly attended with mala fide. In the present case, the allegations in the FIR as well as the material collected during inquiry and investigation clearly disclose the commission of cognizable offences and therefore the same cannot be examined in detail by this Court while exercising jurisdiction under Section 528 BNSS.

10. Moreover, it is also not disputed that charges have already been framed against the petitioners after finding a *prima facie* case against them. Once the trial court has already examined the material placed on record and found sufficient grounds to frame charges, this Court would be slow in interfering at this stage by quashing the FIR.

11. In view of the aforesaid circumstances, this Court is of the considered opinion that the allegations levelled against the petitioners raise disputed questions of fact which require appreciation of evidence and can only be adjudicated upon during the course of trial. Therefore, no ground is made out for quashing of the FIR or the consequential proceedings arising therefrom.

12. Accordingly, the present petition is dismissed.



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13. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

14. All pending applications, if any, also stand disposed of.

12.03.2026 (MANDEEP PANNU)
Anu JUDGE

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