



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

(118)

CRM-M-32718-2026 (O&M)
Date of Decision: **01.07.2026**

MEENA AND ANOTHER

... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Amit Chahal, Advocate
for the petitioners (**through video conferencing**).

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VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been instituted under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.263 dated 02.09.2025 (Annexure P-2), registered under Sections 61, 340, 338, 336(3) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 120-B, 471, 467, 468 and 420 IPC) at Police Station Bawani Khera, District Bhiwani, along with all consequential proceedings arising therefrom, qua the present petitioners.

1.1. It is contended that the petitioners are the lawful owners of their respective shares in the property in dispute. It is further submitted that respondent No.2 had instituted Civil Suit No.1341 of 2025 on 07.08.2025 seeking a decree of declaration and permanent injunction, inter alia, claiming himself to be a *gair marusi* tenant in respect of land



comprised in Rectangle No.26//2 min (2-0), 9 (8-0), 10 (7-12), measuring in all 17 kanals and 12 marlas, as well as land measuring 7 kanals and 12 marlas comprised in Khasra No.26//11 (7-12), situated within the revenue estate of Village Kungar. The said suit also seeks a declaration that the proceedings pertaining to correction of khasra girdawari, bearing Case Nos.136/T and 142/T decided on 08.01.2025, as well as Partition Petition No.128/T and the orders passed therein, are illegal, null and void, together with consequential reliefs of permanent injunction restraining defendants No.3 to 47 from interfering with the plaintiff's alleged possession and mandatory injunction restraining defendants No.1 and 2 from proceeding with the delivery of possession.

1.2. It is further averred that respondent No.2 thereafter lodged a criminal complaint on 12.08.2025, culminating in the registration of the impugned FIR on 02.09.2025 against the petitioners and other persons. According to the petitioners, the criminal proceedings are nothing but a calculated attempt to impart a criminal colour to what is essentially a civil dispute relating to title and possession of immovable property. It is further alleged that the son of respondent No.2 is a practising Advocate at Hisar and, with a view to securing an undue advantage in the pending civil proceedings, respondent No.2 has resorted to the initiation of criminal prosecution. It is also contended that the FIR contains vague, omnibus and wholly unsubstantiated allegations without disclosing any specific overt act attributable to the petitioners. The question whether respondent No.2 is a tenant and whether any landlord-tenant relationship exists between the parties are matters which fall exclusively within the domain of



adjudication by the competent civil court. In substance, the criminal proceedings are stated to be an abuse of the process of law, intended to secure indirectly the very reliefs which respondent No.2 has already sought in the pending civil suit.

2. I have heard learned counsel for the petitioners at length and have carefully perused the paper-book as well as the material placed on record.

3. A perusal of the allegations contained in the impugned FIR reveals that respondent No.2 claims to be in lawful possession of land comprised in Killa Nos.26//2 min (2-0), 9 (8-0) and 10 (7-12). The gravamen of the allegations is that the petitioners, in active connivance with Mohinder, Lambardar, fraudulently procured false verification reports regarding service of summons and thereafter produced impostors before the Court of the Tehsildar by impersonating the complainant, Suresh, and his elder brother, Satyawan. It is further alleged that forged signatures were appended on the relevant proceedings with the object of securing fraudulent orders in their favour. The FIR further alleges that Kali Ram, Lambardar, deliberately submitted a false report stating that the complainant had refused to accept service of summons, whereas no such refusal had ever been made. According to the complainant, he came to know of the allegedly fraudulent orders passed in Case Nos.136/T and 142/T dated 08.01.2025 and Partition Petition No.128/T dated 25.02.2025 only after approximately six months, as the concerned Reader had deliberately withheld the case file with an oblique motive of ensuring that



the statutory period prescribed for filing an appeal against the said orders expired.

4. Merely because respondent No.2 has challenged the aforesaid revenue orders in the pending civil proceedings does not, by itself, preclude the initiation or continuation of criminal proceedings if the allegations *prima facie* disclose the commission of cognizable offences involving fraud, forgery, impersonation or fabrication of official records. The allegations in the FIR are not confined merely to the legality of the revenue orders but extend to serious accusations that the said orders were procured by manipulating the process of law through fraudulent service reports, production of impostors in place of the complainant and his brother, fabrication of signatures and deliberate concealment of the record. These allegations undoubtedly require a thorough investigation.

4.1. The investigation is presently at a nascent stage. At this preliminary juncture, it cannot be concluded that the impugned FIR fails to disclose the commission of any cognizable offence or that it has been instituted solely with a view to wreak vengeance upon the petitioners or to obtain an undue advantage in the pending civil litigation. The legal principles governing the exercise of inherent jurisdiction for quashing criminal proceedings are too well settled to require elaboration. The inherent powers of this Court are to be exercised sparingly, with circumspection and only in the rarest of cases where the allegations, even if taken at their face value, fail to constitute any offence or where continuation of the criminal proceedings would amount to a manifest abuse of the process of law. The contours of the power to quash



FIRs/complaints under Section 482 Cr.P.C (Now Section 528 of BNSS) are well defined. The Hon'ble Supreme Court in the landmark judgment of ***State of Haryana & Ors. v. Ch. Bhajan Lal & Ors., 1991 (1) RCR(Criminal) 383*** has laid down as following:-

“107. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extraordinary power under Article 226 or the inherent powers under section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any Court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

1. Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.
2. Where the allegations in the First Information Report and other materials, if any, accompanying the F.I.R. do not disclose a cognizable offence, justifying an investigation by police officers under Section 156 (1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.
3. Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same



do not disclose the commission of any offence and make out a case against the accused.

4. Where, the allegations in the F.I.R. do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.
 5. Where the allegations made in the F.I.R. or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.
 6. Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.
 7. Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.
108. We also give a note of caution to the effect that the power of quashing a criminal proceeding should be exercised very sparingly and with circumspection and that too in the rarest of rare cases; that the Court will not be justified in embarking upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the F.I.R. or the complaint and that the extraordinary or



inherent powers do not confer an arbitrary jurisdiction on the Court to act according to its whim or caprice.”

5. In *M/s Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra*, (2021) 19 SCC 401, a Three-Judge Bench of the Hon'ble Supreme Court exhaustively examined the scope and ambit of the inherent jurisdiction of the High Court under Section 482 Cr.P.C.. Reaffirming the well-settled principles governing the exercise of such jurisdiction, the Hon'ble Supreme Court held that the power to quash criminal proceedings is an extraordinary one and must be exercised sparingly, with great circumspection, and only in the rarest of rare cases, though the expression "rarest of rare" in this context is not to be equated with the standard evolved for the imposition of the death penalty.

5.1. The Hon'ble Supreme Court categorically held that while exercising jurisdiction under Section 482 Cr.P.C. for quashing an FIR or criminal proceedings, the High Court cannot enter into the factual arena to adjudicate upon the correctness or otherwise of the allegations levelled in the complaint or the First Information Report. At that stage, the Court is neither expected to examine the defence available to the accused nor to undertake a meticulous appreciation of evidence or conduct a mini-trial. It was further held that the Court cannot embark upon an enquiry into the reliability, genuineness or otherwise of the allegations contained in the FIR or complaint. However, if, upon applying the well-established parameters governing the exercise of inherent jurisdiction and the self-imposed restraints recognised by judicial precedents, particularly those enunciated in *R.P. Kapur v. State of Punjab*, AIR 1960 SC 866, and *State of*



Haryana and others v. Bhajan Lal (supra), the Court is satisfied that the case falls within any of the recognised categories warranting interference, it would undoubtedly be competent to exercise its inherent jurisdiction to quash the criminal proceedings.

6. Examined in the light of the aforesaid settled principles, the present case does not satisfy any of the parameters enumerated by the Hon'ble Supreme Court in ***Bhajan Lal*** (supra) or ***Neeharika Infrastructure Pvt. Ltd.*** (supra) so as to justify the exercise of the extraordinary inherent jurisdiction of this Court. At this stage, there is no material on record to *prima facie* demonstrate that the impugned FIR is manifestly *mala fide*, frivolous, vexatious, or has been instituted with an ulterior motive amounting to an abuse of the process of law. The allegations contained in the FIR disclose the commission of cognizable offences warranting a fair and complete investigation. Consequently, the investigating agency must be permitted to carry the investigation to its logical conclusion in accordance with law, without unwarranted judicial interference at this nascent stage.

7. In view of the foregoing discussion, this Court finds no merit in the present petition. Accordingly, the same is hereby **dismissed**. It is, however, clarified that the observations recorded herein are confined solely to the adjudication of the present petition under Section 482 Cr.P.C. and have been made only for the purpose of determining the issue of quashing. Nothing contained in this order shall be construed as an expression of opinion on the merits of the case, and the learned Trial Court



shall proceed to adjudicate the matter independently, uninfluenced by any observations made herein, strictly in accordance with law.

8. It is, however, made clear that the observations recorded herein are confined exclusively to the adjudication of the present petition and have been rendered solely for the purpose of examining the maintainability of the prayer for quashing. Nothing contained in this order shall be construed as an expression of opinion on the merits of the allegations, the evidentiary value of the material collected during investigation, or the rights and contentions of either party in any pending or future proceedings. The investigating agency as well as the competent Court shall proceed independently, uninfluenced by any observations made herein, and shall decide the matter strictly in accordance with law on the basis of the evidence that may come on record.

9. In view of the final adjudication of the principal petition, all pending miscellaneous applications, if any, shall also stand disposed of accordingly. No further orders are called for in that regard.

01.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

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