



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

CRM-M No.39324 of 2023
Reserved on: 29.04.2026
Pronounced on: 04.05.2026
Uploaded on: 04.05.2026

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

Bhagwan Singh alias Bhana

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Argued by:- Mr. Arun Gupta, Advocate for
Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Sahil Chowdhary, AAG, Punjab.

Mr. Gurvinder Singh Mehra, Advocate
for respondents No.2 and 3.

MANDEEP PANNU, J.

1. This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.16 dated 30.03.2017 registered under Sections 109, 120-B (added later), 379 and 411 IPC at Police Station Ghanaur, District Patiala, along with all consequential proceedings arising therefrom, on the basis of the facts and grounds mentioned in the present petition.
2. It is contended by learned counsel appearing for the petitioner that the facts of the case clearly demonstrate misuse of the criminal process. As per the record, one FIR No.58 dated 29.03.2017 was initially



registered at Police Station City Rajpura on the statement of complainant Gurpreet Singh, who alleged that his motorcycle bearing registration No. PB65Y0580 had been stolen on 14.03.2017 from outside Government Kanya School, Old Rajpura. It is further contended that thereafter, on 30.03.2017, while the police officials of Police Station Ghanaur were allegedly present at Canal Bridge, Ghanaur for checking purposes, the petitioner along with co-accused persons was apprehended and found in possession of a motorcycle without registration number, which upon verification was stated to be the same stolen motorcycle pertaining to the aforesaid FIR No.58 dated 29.03.2017. On the basis of the statement of police official ASI Balbir Singh, the present FIR No.16 dated 30.03.2017 came to be registered at Police Station Ghanaur under Sections 379 and 411 IPC, to which Sections 109 and 120-B IPC were later added. Learned counsel submits that thus, two FIRs have been registered in respect of the same occurrence and the same stolen motorcycle-one regarding the theft (FIR No.58 at Police Station City Rajpura) and the other regarding alleged recovery/possession (present FIR No.16 at Police Station Ghanaur), which is legally impermissible and amounts to duplication of proceedings. It is further contended that the petitioner has been falsely implicated in the present FIR, as he was neither involved in the theft of the motorcycle nor was he in conscious possession of the same. There is no independent or reliable evidence connecting the petitioner with the alleged offence and his implication is solely based upon disclosure statements, which have no evidentiary value in the absence of corroboration. Learned counsel has also vehemently argued that FIR No.58 dated 29.03.2017 (the main FIR relating



to theft) has already been quashed by this Hon'ble Court vide order dated 30.08.2022 passed in *CRM-M No.31897 of 2020* on the basis of a compromise dated 25.02.2022 entered into between the parties. In terms of the said compromise, the complainant has settled the matter and agreed not to pursue the criminal proceedings. It is thus submitted that once the principal FIR relating to theft of the motorcycle stands quashed on the basis of compromise, the continuation of proceedings in the present FIR, which arises out of the same transaction and is merely a consequential FIR based on alleged recovery, would amount to abuse of the process of law.

3. Learned State counsel, on instructions, has not disputed the factual matrix of the case as put forth by the petitioner. However, it is submitted that he is not in a position to confirm as to whether the matter pertaining to the earlier FIR relating to theft has been compromised and quashed on the basis thereof.

4. On the other hand, learned counsel for the respondent/complainant has fairly submitted that the matter between the parties has already been amicably compromised, and the earlier FIR pertaining to the theft of the motorcycle has been quashed by this Court on the basis of the said compromise. It is further stated that the complainant has no objection if the present FIR is also quashed on merits, as the continuation of the proceedings would serve no useful purpose.

5. I have heard learned counsel for the parties and have gone through the record with their assistance.

6. At the outset, it is not in dispute that FIR No.58 dated 29.03.2017, registered at Police Station City Rajpura, was lodged on the



statement of the complainant regarding theft of the motorcycle in question. It is also borne out from the record that the present FIR No.16 dated 30.03.2017, registered at Police Station Ghanaur, came to be recorded on the basis of alleged recovery of the very same motorcycle from the petitioner and co-accused persons on the following day. Thus, both FIRs pertain to the same case property and arise out of the same chain of events, namely theft and subsequent alleged recovery.

7. The legal position is well settled that there cannot be multiple FIRs in respect of the same occurrence or transaction, and all subsequent information is to be treated as part of the investigation in the first FIR. The recovery of stolen property is only a step in furtherance of investigation of the original offence and does not constitute a separate and independent occurrence so as to justify registration of a second FIR, particularly when the recovery is directly relatable to the theft already reported.

8. In the present case, the second FIR has been registered merely on account of alleged recovery of the same motorcycle, which forms the subject matter of the earlier FIR. This Court is of the considered view that such registration of a second FIR amounts to duplication of proceedings and is not sustainable in law. The appropriate course for the investigating agency was to incorporate the recovery in the original FIR and proceed with the investigation accordingly.

9. Furthermore, it is an admitted position that the earlier FIR relating to theft has already been quashed by this Court on the basis of a compromise arrived at between the parties. Once the principal offence itself stands obliterated, the continuation of proceedings in the present FIR,



which is merely a consequential FIR arising out of the same transaction, would serve no useful purpose and would amount to abuse of the process of law.

10. Even otherwise, learned counsel for the respondent/complainant has categorically stated that the matter has been amicably settled and that the complainant has no objection to the quashing of the present FIR. In such circumstances, continuation of criminal proceedings would not advance the cause of justice.

11. In view of the above discussion, this Court is satisfied that the present case is a fit case for exercise of inherent jurisdiction to prevent abuse of the process of law and to secure the ends of justice.

12. Accordingly, the present petition is allowed. FIR No.16 dated 30.03.2017 registered under Sections 109, 120-B (added later), 379 and 411 IPC at Police Station Ghanaur, District Patiala, along with all consequential proceedings arising therefrom, is hereby quashed qua the petitioner.

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

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

04.05.2026
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(MANDEEP PANNU)
JUDGE

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