



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

CRM-M No.56348 of 2025
Reserved on:-01.04.2026
Pronounced on:-06.04.2026
Uploaded on:- 07.04.2026

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

SATPAL SINGH AND ANOTHER

...Petitioners

Versus

THE STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Argued by:- Mr. Arun Chander Sharma, Advocate
for the petitioners.

Mr. Sushil Bhardwaj, Addl. A.G., Haryana.

Mr. Aman Mittal, Advocate
for respondent No.2.

MANDEEP PANNU, J.

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for quashing of FIR No.279 dated 24.11.2021 registered under Sections 3, 7(i), 7(ii) and 10 of the Haryana Development and Regulation of Urban Areas Act, 1975 at Police Station Sadhaura, District Yamuna Nagar, and all consequential proceedings arising therefrom, qua the petitioners only.
2. Briefly stated, the allegations as set out in the FIR are that the petitioners, along-with other co-accused, were involved in carving out an



unauthorized colony in the revenue estate of Village Sarawan, Tehsil Sadhaura, District Yamuna Nagar. It is alleged that the said land, which falls within a notified urban area, was illegally divided into plots for residential and commercial purposes without obtaining the requisite licence/permission from the competent authority, namely the Department of Town and Country Planning, Haryana, as mandated under the Haryana Development and Regulation of Urban Areas Act, 1975. The FIR, further, records that the accused persons not only subdivided agricultural land and laid roads but also promoted and facilitated sale/transfer of plots in violation of statutory provisions. It is also alleged that despite issuance of show cause notices and passing of restoration orders by the competent authority, the illegal activities were not stopped, compelling the authorities to seek registration of the present FIR against the petitioners and other co-accused.

3. Learned counsel for the petitioners has contended that the petitioners have been falsely implicated in the present case and have no role whatsoever in the alleged development of any unauthorized colony. It is submitted that the petitioners were absolute owners of the agricultural land in question and had sold the same through seven duly executed and registered sale deeds (bainamas) in favour of the co-accused persons. The said transactions were *bona-fide* and pertained only to agricultural land, without any element of plotting or development of a colony. It is, further, contended that after the execution of the said sale deeds, the petitioners had no concern or connection with the said land, and it is the subsequent purchasers/co-accused who, on their own, carved out plots and allegedly developed an unauthorized colony over the said land. Learned counsel



submits that the entire allegations in the FIR, even if taken at face value, pertain to acts allegedly committed after the transfer of ownership and possession, for which the petitioners cannot be held vicariously liable. It is also argued that the petitioners had duly responded to the show cause notices issued by respondent No.2, specifically clarifying that they had sold the land only for agricultural purposes and had no role in any illegal plotting or colonization. The petitioners had categorically stated in their reply that if any violation has been committed, the same is attributable solely to the subsequent purchasers and not to the petitioners. On these premises, it is contended that continuation of criminal proceedings against the petitioners is nothing but an abuse of the process of law, as no offence under the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 is made out against them. Accordingly, it is prayed that the FIR in question and all consequential proceedings arising therefrom be quashed qua the petitioners.

4. On the other hand, learned State counsel has opposed the present petition and contended that the petitioners are specifically named in the FIR and their active role in the commission of the offence has come on record during the course of investigation. It is submitted that the allegations are not merely bald assertions, rather the same are duly supported by documentary as well as oral evidence collected during investigation.

5. Learned State counsel has argued that during investigation, it has been revealed that the petitioners had sold the agricultural land in question in the shape of plots for the purpose of developing a colony, without obtaining the requisite permission from the competent authority, i.e



District Town Planner, Yamuna Nagar, thereby violating the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975. It is, further, contended that the sale deeds executed by the petitioners, coupled with the present status of the land and other material collected on record, substantiate the allegations levelled against them. It is also contended that apart from the statement of the complainant, statements of other witnesses as well as disclosure statements of co-accused persons have been recorded, which further corroborate the prosecution case. Learned State counsel submits that after completion of investigation, challan has already been presented before the competent Court and the trial is underway. It is, further, argued that the issues raised by the petitioners involve disputed questions of fact, which require appreciation of evidence and cannot be adjudicated upon in the present proceedings under Section 528 of BNSS. Therefore, no case for quashing of the FIR is made out at this stage.

6. I have heard the respective contentions of learned counsel for the petitioners and learned State counsel and have also gone through the record with their able assistance.

7. At the outset, it may be noticed that the petitioners seek quashing of the FIR primarily on the ground that they had merely sold the agricultural land and had no role in carving out an unauthorized colony. However, from the material placed on record and the reply filed by the State, it transpires that the allegations against the petitioners are not vague or general in nature. Rather, it has been specifically alleged that the petitioners, through multiple registered sale deeds, sold the land in question in separate parcels/plots, which ultimately formed part of an unauthorized



colony developed without obtaining the requisite permission from the competent authority.

8. Significantly, the petitioners have themselves relied upon the factum of execution of several registered sale deeds, but the said sale deeds have not been placed on record before this Court so as to demonstrate the true nature of the transactions. In the absence of the said documents, the plea raised by the petitioners that the land was sold purely as agricultural land, cannot be conclusively accepted at this stage.

9. Further, the State, in its reply, has categorically asserted that there is documentary evidence available on record to show that the petitioners had sold the agricultural land after subdividing the same into plots and that an unauthorized colony has been raised thereupon without obtaining permission from the District Town Planner, Yamuna Nagar, as required under the Haryana Development and Regulation of Urban Areas Act, 1975. The said stand is also supported by the material collected during investigation, including statements of witnesses and other documentary record.

10. It is also a matter of record that both the petitioners have suffered disclosure statements during the course of investigation. In their respective disclosure statements, they have, *inter-alia*, stated that they were not aware that selling plots carved out of agricultural land constitutes an offence and that prior permission from the District Town Planner is required before subdividing agricultural land into plots. They have, further, admitted that no such permission was obtained by them before executing the transactions in question. The evidentiary value and admissibility of



such disclosure statements, as well as the effect thereof, are matters which are to be examined during the course of trial.

11. At this stage, it is trite law that this Court, while exercising jurisdiction under Section 528 of BNSS, is not required to conduct a mini-trial or to appreciate the evidence in detail. The defence sought to be raised by the petitioners involves disputed questions of fact, which cannot be adjudicated upon without the parties leading evidence before the trial Court. The veracity of the allegations, the nature of the sale transactions, and the extent of involvement of the petitioners are all issues which require proper appreciation of evidence.

12. In view of the above, this Court is of the considered opinion that the allegations made in the FIR, coupled with the material collected during investigation, *prima-facie* disclose the commission of cognizable offences and do not warrant interference at this stage. The petitioners have failed to make out a case for quashing of the FIR or the consequential proceedings.

13. Accordingly, finding no merit in the present petition, the same is, hereby, dismissed.

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

06.04.2026
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(MANDEEP PANNU)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>