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

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**CRM-M-67550-2025
Decided on: 22.01.2026**

SUMIT SOLANKI AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Ankur Lal, Advocate for the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No.48 dated 10.04.2025 under sections 345 and 318(4) of BNS (subsequently added Sections 336(3), 338, 340 of BNS) registered at Police Station Rohadai, District Rewari alongwith all consequential proceedings arising therefrom.

2. Brief facts are that on 10.04.2025 during patrolling, the police intercepted the rider namely, Yashwant Singh along with motorcycle bearing no.DL4SDA3278 and found its chasis/ engine numbers differed from Registration Certificate details. On asking, the rider stated that the motorcycle was given by his employer, Sumit (the petitioner) for work and the said motorcycle was registered in the name of one Savinder and as such, no valid RC of the vehicle in question was produced by the rider.



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2. Learned counsel for the petitioners contended that they have not committed offence as the number plate was genuine as the number on the same was issued to Savinder and the motor cycle which is non-functional was parked at the company premises whereas the recovered motor cycle was legitimately purchased by petitioner No.2 from Jasoda Auto Private Limited vide bill dated 05.05.2016; essential ingredients of cheating and forgery are absent since there was no false documents or intention to defraud; no offence under BNS is made out, however the offence, if any, is made out falls under the ambit of Sections 192 and 192-B of the Motor Vehicles Act which is a special Act. In order to support his contentions, learned counsel for the petitioner has placed reliance on the judgment dated 07.02.2019 passed by the Bombay High Court in case titled as “**Mahesh Mehervan Havewalla Vs. State of Maharashtra**” whereby the said Cour has refused to accept the prosecution's stand that the petitioner had indulged in forgery and cheating by using an old number plate on an unregistered vehicle which he was driving. The Court held that it was an offence under the Motor Vehicles Act, 1988. Therefore, learned counsel prays for quashing of aforementioned FIR and consequential proceedings emanating therefrom.

3. On the other hand, learned State counsel submitted that the law relied upon by the petitioner is not applicable to the present case as it dealt with registration of new car which was purchased from the Customs Department and it was not registered but he was using the registration number of his old car. Learned counsel for the State further contended that the vehicle in the present case, belongs to the year 2016 and the same



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was apprehended in the year 2025 i.e. after a period of 09 years and the number plate affixed also does not belong to the petitioner but belongs to his uncle and regarding the offences which is made out from the ingredients of the FIR or the material collected by the investigation agency is to be argued at an appropriate stage i.e at the stage of framing of charges, as such, offence of BNS is made out from the facts and the material collected in the present case.

4. Heard.

5. Keeping in view the contentions raised by learned counsel for the State, this Court finds merit in the contentions raised by learned counsel for the State that the petitioner has right to raise all his pleas before the trial Court regarding nature of offences made out from the ingredients of the case, however, prima facie, it is a case where a fake number plate has been affixed on a motor cycle which was not registered within the stipulated period, in terms of the provisions of Motors Vehicle Act.

6. In view of above, this Court finds no merit in the present case and the same is **dismissed**. However, the petitioner is at liberty to raise all his pleas taken before this Court regarding induction of appropriate Sections in the present case, before the trial Court at the time of framing of charges.

(SUBHAS MEHLA)
JUDGE

22.01.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO