



CRM-M-18159-2017

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

CRM-M-18159-2017  
Date of Decision: 07.03.2025

Ram Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amandeep Saini, Advocate  
for the petitioner.

Mr. Akshay Kumar, A.A.G., Punjab.

Mr. J.S. Dadwal, Advocate  
for respondents No.2 to 4.

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ANOOP CHITKARA, J.

1. Seeking legal action under Section 340 CrPC against respondent No.2 for committing forgery before this Court by forging his signatures on the alleged Power of Attorney dated 09.10.2014 Annexure P-1 filed in this Court in CWP No.27736 of 2014, petitioner has come up before this Court under Section 340 CrPC.

2. I have heard counsel for the petitioner and have gone through the record. The short point involved in the present case is that according to petitioner, respondent No.2 had filed CWP No.22736 of 2014 in this Court for issuing directions for investigation against Sarpanch of the village for mis-appropriating public funds. Petitioner was also shown as petitioner No.4 in the said writ petition whereas petitioner claims that he never filed any such writ petition nor his signatures in Hindi script which were affixed on the Power of Attorney dated 09.10.2014 Annexure A-1 did not belong to him. On coming to know about his being one of the petitioners, he contacted respondent No.2 Madan Lal who did not give any satisfactory reply. In para no.4 of the petition, petitioner claims that respondent No.2 is habitual of doing fraud and he even mentioned himself as Sarpanch which was incorrect. Petitioner claims that his signatures were obtained in Hindi script whereas he does not know Hindi and he is an illiterate person and puts his signature in devnagri script. In para no.6 of the petition, petitioner claims that when he got to know about recovery of grant under Shagun scheme he felt bad and filed present petition. In the reply filed by private respondents No.2 to 4, they have denied all the allegations and have also taken grounds of limitation. On the face of it, the matter is barred by limitation for



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the reason that he himself claims that he came to know about the writ petition but he did not take any action until the recovery of Shagun scheme were initiated and he filed the present petition on 06.05.2017. Thus, the petition was hopelessly barred under Section 468 CrPC. The second reason for rejection is that there is no evidence to prove that petitioner did not sign on the Power of Attorney. Mere statement that he did not sign or that he did not know Hindi and sign only in Punjabi is not sufficient to initiate criminal action against respondent No.2 without corroborating the signatures being forged through scientific evidence like in the shape of evidence of the other petitioners to state that petitioner was not at all involved in the filing of writ petition and also did not explain the time, date and manner in which petitioner's signatures were obtained. Given above, the present petition fails on two counts. Firstly, on the grounds of limitation and secondly on lack of proof that his signatures are forged. Only this point can be proved in evidence and he cannot take shelter under Section 340 CrPC.

3. Petition dismissed. All pending applications, if any also stand disposed.

(ANOOP CHITKARA)  
JUDGE

07.03.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.