



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

**CRM-M-40657-2025  
Date of decision: 30.07.2025**

**KULWARN SINGH BAINS AND OTHERS**

**...PETITIONERS**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Akashdeep Singh, Advocate  
for the petitioners.

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**HARPREET SINGH BRAR, J. (ORAL)**

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.67 dated 12.05.2025 under Sections 329(4), 324(3), 61(2) of BNS, 2023 (*wrongly mentioned as Section 394(4) of BNS in the prayer clause*) (Section 305 of BNS added later on) registered at Police Station Mahilpur, District Hoshiarpur, Punjab (Annexure P-12) along with all subsequent proceedings arising therefrom.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners have been falsely implicated in the FIR (*supra*). He further contends that the dispute between the parties is purely civil in nature. Learned counsel submits that the FIR (*supra*) has been registered as a counter-blast to the civil suit, which has been decided in favour of petitioner No.2 on 18.07.2023. Learned counsel for the petitioner further submits that the petitioners would be satisfied in case all the documents, which are annexed with the present petition, including proceedings initiated before Revenue as well as Civil Court and all the averments made herein, are considered by the Investigating Officer before submitting the final report under Section 193 of



BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*). Learned counsel further submits that petitioner No.2 is residing abroad and prays that she may be allowed to present her documents and the circumstances in her favour, through petitioner No.1.

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent No.1-State and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself. petitioner No.2 is allowed to represent herself through petitioner No.1.

6. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition, including proceedings initiated before Revenue as well as Civil Court and averments made in the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

7. It is clarified that in case, final report under Section 193 of BNSS,



2023 (*erstwhile Section 173 Cr.P.C.*) is against the petitioner, he would be at liberty to file a fresh petition to challenge the FIR (*supra*) as well as the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

July 30, 2025  
*manisha*

**(HARPREET SINGH BRAR)**  
**JUDGE**

- |      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |